

CITY COUNCIL AGENDA
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

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- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - REVEREND MIKE MAS, CENTER FOR COMPASSIONATE CARE, NATHAN ADELSON HOSPICE
- PLEDGE OF ALLEGIANCE

MINUTES:

PRESENT: MAYOR GOODMAN and COUNCILMEMBERS REESE, BROWN, L.B. McDONALD, WEEKLY, MACK, and MONCRIEF.

Also Present: CITY MANAGER DOUGLAS SELBY, DEPUTY CITY MANAGER STEVE HOUCHENS, DEPUTY CITY MANAGER BETSY FRETWELL, CITY ATTORNEY BRAD JERBIC, DEPUTY CITY ATTORNEY TOM GREEN, DEPUTY CITY ATTORNEY BRYAN SCOTT (P.M. Session), and CITY CLERK BARBARA JO RONEMUS

ANNOUNCEMENT MADE – Meeting noticed and posted at the following locations:

City Hall Plaza, Special Outside Posting Bulletin Board

Court Clerk's Office Bulletin Board, City Hall Plaza

Las Vegas Library, 833 Las Vegas Boulevard North

Senior Citizens Center, 450 E. Bonanza Road

Clark County Government Center, 500 S. Grand Central Parkway

(9:09)

1-1

REVEREND MIKE MAS, Center For Compassionate Care, gave the invocation.

(9:09 – 9:12)

1-22

MAYOR GOODMAN led the audience in the Pledge.

(9:12 – 9:13)

1-100

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

☐

CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF THE EMPLOYEE OF THE MONTH

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

MOTION:

None required. A presentation was made.

MINUTES:

MAYOR GOODMAN called forward DAVE SEMENZA, Manager of the Neighborhood Response Division, to help him make this presentation. PAM HINES, Code Enforcement Supervisor also came forward. They recognized JESSICA LARRAMENDY, Administrative Assistant of the Neighborhood Response Division, as December's Employee of the Month for efficiently coordinating the relocation of one of the satellite code enforcement offices as soon as it was found that the office had to be demolished due to health and safety issues. She was able to manage the smooth transition before the 45-day deadline, while also continuing to perform her regular duties at her usual high standard. Because of her hard work, the Code Enforcement Office was able to get up and running quickly so that staff could continue providing service to the community. MS. LARRAMENDY is truly an outstanding individual, continually displaying the essence of what makes an exceptional employee.

MR. SEMENZA was pleased to be recognizing another member of his staff. MS. LARRAMENDY is not looking for recognition; she just does her job well. MS. HINES stated that although every City employee is exceptional, every once in a while there is one employee that shines through that truly cares about doing the best possible job. MS. HINES felt proud to be her co-worker.

(9:13 – 9:17)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

☐

CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF CITY OF LAS VEGAS ADAPTIVE RECREATION DIVISION
AWARDED THE PRESIDENTIAL CITATION BY THE NATIONAL THERAPEUTIC
RECREATION SOCIETY

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Videotape was shown but not submitted for the minutes.

MOTION:

None required. A presentation was made.

MINUTES:

MAYOR GOODMAN pronounced that recently the Leisure Services Department not only received the prestigious honor of becoming accredited, but also the Adaptive Recreation Division received the Presidential Citation, which shows how hard staff is working to provide exceptional service to all citizens. Videotape was shown depicting some of the programs and activities that are offered at the City of Las Vegas and in other cities around the country.

DR. BARBARA JACKSON, Director, Leisure Services Department, called forward JOHN CHAMBERS, Adaptive Recreation Division Manager. She then recognized the staff of the Adaptive Recreation Division in the audience and stated that they are a very unique group of men and women who work very hard to provide services for individuals of all ages and abilities within the City of Las Vegas. The recognition that they receive nationally, internationally, and locally has been well worth it. This Division stands out among the crowd, especially in the State of Nevada. In honor of that, the National Therapeutic Recreation Society awarded this Division its Organization Citation.

City of Las Vegas

CITY COUNCIL MEETING OF DECEMBER 17, 2003

Ceremonial

Recognition of City of Las Vegas Adaptive Recreation Division Awarded the Presidential Citation by the National Therapeutic Recreation Society

MINUTES – Continued:

MR. CHAMBERS leads this Division and has never let the word “no” be part of his vocabulary. His Division works very hard to not only provide recreational services, but also are advisors, counselors, and do assisted life skills.

MR. CHAMBERS accepted the plaque and stated that this is not an award for himself, but for the entire City and was accomplished through the leadership of the Council, the City Manager’s Office, and his director. He expressed his sincere appreciation.

(9:17 – 9:22)

1-260

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

☐

CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

SPECIAL PRESENTATION TO BOB GOLDING OF VIACOM OUTDOOR

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Submitted after the meeting: copy of proclamation proclaiming 12/17/2003 as Bob Golding Day

MOTION:

None required. A presentation was made.

MINUTES:

MAYOR GOODMAN indicated that in September he received a letter from two women asking for assistance for a bus shelter at a bus stop heavily utilized by the patients of the Mojave Counseling Center. In response, Field Operations Department provided the permitting and labor process and BOB GOLDING of Viacom Outdoor provided the material for a bus shelter free of charge, which saved the City \$1,500. This is not the first time MR. GOLDING has assisted the City and its constituents. Viacom also created bus shelters in Wards 1 and 5. Every time there is a need, MR. GOLDING listens and does what he can to help the community. He is a good citizen and represents his company well. MAYOR GOODMAN commended MR. GOLDING and presented him with a proclamation. He also thanked Viacom for instilling and promoting community volunteerism.

MR. GOLDING stated that over the years, from the opportunities he had to work with City staff, he has learned that there are very outstanding people that work for the City and that really care for the community. He felt very privileged to work with these types of people and for a company that provides service. He expressed his sincere appreciation for this presentation.

(9:22 – 9:25)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

☐

CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF LAS VEGAS HIGH SCHOOL FOOTBALL TEAM

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

MOTION:

None required. A presentation was made.

MINUTES:

COUNCILMAN WEEKLY recognized the Las Vegas High School Wildcats Football Team for making the community proud this past football season, despite the loss of one of their team members. They did not take the championship in Northern Nevada, but the community still considers them champions. COUNCILMAN WEEKLY called forward team captain JACOB ROBERTSON and presented him with a trophy, which every team member would be receiving. COUNCILMAN WEEKLY then called forward COACH KRIS CINKOVICH, who truly inspired the team members, and then DAISY RAMOS, mother of former team member EDUARDO GOMEZ, who recently passed away. COUNCILMAN WEEKLY presented MS. RAMOS with a trophy as a token of the love felt for her son, and presented COACH CINKOVICH with a large trophy, which he referred to as the EDUARDO GOMEZ trophy.

COACH CINKOVICH thanked COUNCILMAN WEEKLY for his kind gestures, of which he felt the team members were very deserving, especially given all they went through this season. He thanked the community for their outpouring support. MS. RAMOS expressed her sincere appreciation.

(9:25 – 9:30)

1-496

Also, COUNCILMAN WEEKLY recognized and presented ATTORNEY ROSS GOODMAN with a plaque for his gratis representation of the Cheyenne High School Football Team.

City of Las Vegas

CITY COUNCIL MEETING OF DECEMBER 17, 2003

Ceremonial

Recognition of Las Vegas High School Football Team

MINUTES – Continued:

ATTORNEY GOODMAN stated that the fate of the Cheyenne Football Team was decided on the football field and not by the NIA. The team members are very strong and they have learned a lot this year. Lastly, he congratulated the Wildcats.

(9:30 – 9:34)

1-662

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

BUSINESS ITEMS:

Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

MOTION:

REESE – Motion to bring forward and STRIKE Item 17 – UNANIMOUS

MINUTES:

There was no discussion.

(9:34 – 9:35)

1-811

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY MANAGER**DIRECTOR: DOUGLAS A. SELBY**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

ADMINISTRATIVE:

Approval of the waiver of City costs associated with the setup, use of City equipment, staff costs and clean-up for the January 17, 2004, Dr. Martin Luther King, Jr. Day Parade (Not to exceed \$11,143 – Special Revenue Fund) – Wards 1 and 5 (Moncrief and Weekly)

Fiscal Impact☐**No Impact****Amount:** NTE \$11,143☒**Budget Funds Available****Dept./Division:** City Manager☐**Augmentation Required****Funding Source:** Special Revenue Fund**PURPOSE/BACKGROUND:**

Request is to waive fees in support of the annual Dr. Martin Luther King, Jr. Day Parade. Staff and equipment costs will involve the departments of Field Operations, Leisure Services and Finance & Business Services. Estimated cost for the 2004 parade is \$11,143. Ordinance #5567 provides the City Manager authority to grant waivers of up to \$7,500 per parade in fees for city services; authority to act on requests exceeding \$7,500 or to provide other financial support in connection with a parade rests with the City Council.

For the 2003 Dr. Martin Luther King, Jr. Day Parade, the City approved a waiver of up to \$8,873. Attached is a breakdown of the City services and funds provided.

RECOMMENDATION:

Staff recommends approval.

BACKUP DOCUMENTATION:

1. Letter from Dr. Martin Luther King, Jr. Parade Committee
2. 2004 Veteran's Day Parade – Parade Fee Waiver estimated cost

MOTION:**REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS****Item 17: STRICKEN under separate action (see individual item)**

NOTE: COUNCILMAN MACK disclosed that the location involved in Item 13 is near the Lady Luck Casino, with which his brother-in-law, ANDREW DONNER, has a contract. Items 34 and 54 involve proposals near the Lady Luck Casino and a SuperPawn shop, which is owned by his brother, STEVEN MACK, for whom he does consulting. Additionally, the locations involved in Items 15, 25, and 36 are also near other SuperPawn shops owned by his brother, STEVEN MACK, for whom he does consulting. STEVEN MACK also owns property near the location

CITY COUNCIL MEETING OF DECEMBER 17, 2003

Consent – Administrative

Item 2 - Approval of the waiver of City costs associated with the setup, use of City equipment, staff costs and clean-up for the January 17, 2004, Dr. Martin Luther King, Jr. Day Parade (Not to exceed \$11,143 – Special Revenue Fund)

MOTION:

involved in Item 19. Moreover, COUNCILMAN MACK has previously disclosed a business relationship to Becker Gaming, which is in proximity to the location involved in Item 15, due to a contract Mack Consulting had with MK² Advertising and Public Relations. Due to the expansion and evolution of Mack Consulting, its previous contract relationship with MK² has terminated. Neither ANDREW DONNER nor STEVEN MACK has mentioned any of these matters to him and COUNCILMAN MACK did not believe any of them would impact the respective businesses; therefore, he would be voting on the aforementioned items.

MINUTES:

COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all the Real Estate items on the Consent Agenda and joins with the recommendation of staff that each item be approved by the City Council.

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY MANAGER

DIRECTOR: DOUGLAS A. SELBY

☒

CONSENT

☐

DISCUSSION

SUBJECT:

ADMINISTRATIVE:

Approval of a request to extend deadline of the Memorandum of Understanding between the Las Vegas Performing Arts Center Foundation (LVPACF) and City Parkway IV and City Parkway V - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

On September 17, 2003, the City Council approved an extension of the deadline to complete the Disposition and Development Agreement (DDA), as required by the Memorandum of Understanding. After continuing with good faith negotiations, the DDA will not be completed by the December 31, 2003 deadline. The parties are requesting an extension to February 18, 2004 to complete the DDA.

RECOMMENDATION:

Approval of the extension to February 18, 2004 and authorize the City Manager and President of City Parkway IV and City Parkway V to execute the necessary documents related thereto.

BACKUP DOCUMENTATION:

Disclosure of Principals

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY MANAGER'S OFFICE

DIRECTOR: ELIZABETH FRETWELL

☒

CONSENT

☐

DISCUSSION

SUBJECT:

ADMINISTRATIVE:

Approval of the Las Vegas Centennial budget for fiscal year 2004 - All Wards

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The Commission for the Las Vegas Centennial Celebration has adopted a budget for the remainder for the 2004 fiscal year. The budget is based on event submissions by the committee and revenue figures projected by Clear Channel Entertainment.

RECOMMENDATION:

Staff recommends approval of the Centennial budget.

BACKUP DOCUMENTATION:

Budget document

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY MANAGER'S OFFICE

DIRECTOR: STEVE HOUCHENS

☒

CONSENT

☐

DISCUSSION

SUBJECT:

ADMINISTRATIVE:

Ratification of an Agreement between Cleveland Clinic Foundation, Inc. and City Parkway, IV, Inc. and City Parkway V, Inc. for the commission of a financial feasibility study and sharing of costs (\$343,000 - Parkway IV) - Ward 5 (Weekly)

Fiscal Impact

☐

No Impact

Amount: \$343,000.00

☐

Budget Funds Available

Dept./Division: City Parkways IV and V

☒

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This Agreement provides for the commissioning of a financial feasibility study on the 61 acres, the sharing of the cost of the consultant and the administration of the financial feasibility study. The consultant's fees and expenses will be shared equally with Cleveland Clinic Foundation.

RECOMMENDATION:

Ratify the Agreement and approve the officers of City Parkway IV and City Parkway V executing the Agreement.

BACKUP DOCUMENTATION:

Agreement

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: ADMINISTRATIVE SERVICES**DIRECTOR: CHRISTOPHER KNIGHT** ☒ **CONSENT** ☐ **DISCUSSION****SUBJECT:**

Approval of contract award for Governmental Taxation and Finance Consulting Services - City Manager's Office - Award recommended to: Marvin Leavitt (Estimated \$38,500 - General Fund)

Fiscal Impact☐**No Impact****Amount:** \$38,500☒**Budget Funds Available****Dept./Division:** City Managers Office☐**Augmentation Required****Funding Source:** General Fund**PURPOSE/BACKGROUND:**

The City of Las Vegas is joining with the City of Henderson, the City of North Las Vegas, the City of Reno, and the City of Sparks to share the costs of the consulting services contract with Marvin. Leavitt. Each governmental entity agrees to pay one fifth of the contractual cost. The total contract cost is not to exceed \$192,500 including all expenses for the life of the contract, or estimated \$38,500 per governmental entity. If approved, this contract will provide for governmental taxation and finance consulting services and other for the period January 1, 2004 through June 30, 2005. The estimated cost for the base period (\$175,000) includes a fixed-price consulting fee (\$175,000) and reimbursable expenses (\$17,500). These services are exempt from the requirements for competitive bidding (NRS 332.115.1(b)).

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Governmental Taxation and Finance Consulting Services Contract

MOTION:**REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS****Item 17: STRICKEN under separate action (see individual item)****MINUTES:**

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

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CONSENT

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DISCUSSION

SUBJECT:

Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

Fiscal Impact

☐

No Impact

Amount: \$57,155,636.01

☒

Budget Funds Available

Dept./Division: Accounting Operations

☐

Augmentation Required

Funding Source: All Funds

PURPOSE/BACKGROUND:

In compliance with the City's Municipal Code, Chapter 4.12, this is an informational item that provides the dollar amount of disbursements processed by the Finance and Business Services Department.

RECOMMENDATION:

BACKUP DOCUMENTATION:

Summary of cash expenditures for the period 11/15/03 - 11/30/03

Total Services and Materials Checks	\$	10,527,926.71
Total Payroll Checks	\$	5,591,053.47
Total Wire Transfers	\$	41,036,655.83

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Special Event License for Sea Breeze Entertainment Group, LLC, Location: Steiner's A Nevada Style Pub, 1750 North Buffalo Drive Parking Lot, Date: December 20, 2003, Type: Special Event Beer/Wine, Event: 1460 Sports Radio/ESPN 920 Touchdown Tacoma Giveaway, Responsible Person in Charge: Roger Sachs - Ward 4 (Brown)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a Special Event License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Special Event License for Lucia Flores, Location: East Las Vegas Community Senior Center, 250 North Eastern Avenue, Date: February 28, 2004, Type: Special Event Beer/Wine, Event: Wedding Reception, Responsible Person in Charge: Sergio Martinez - Ward 3 (Reese)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a Special Event License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Special Event License for Enrique Carreon, Location: East Las Vegas Community Senior Center, 250 North Eastern Avenue, Date: February 7, 2004, Type: Special Event Beer/Wine, Event: Sweet 15 Birthday Party, Responsible Person in Charge: Jose Paz - Ward 3 (Reese)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a Special Event License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Change of Ownership, Location and Business Name for a Supper Club License subject to the provisions of the planning and fire codes and Health Dept. regulations, From: Market City Caffé, Summerlin, Inc., dba Market City Caffé, 7290 West Lake Mead Boulevard, Suite A (Non-operational), Charles A. Pastron, Dir, Pres, 45%, Salvatore J. Casola, Dir, VP, 45%, Salvatore Casola, Dir, 10%, To: Vegas Treasures, Inc., dba Paymon's Mediterranean Cafe and Lounge, 8380 West Sahara Avenue, Suite 100, Payman H. Raouf, Pres, Treas, 60%, Fariba Raouf, Secy, 40% - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Ownership, Location and Business Name for a Supper Club License

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes and Health Dept. regulations

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes and Health Dept. regulations, From: Michel Elmalem, dba Parma Ristorante, Michel M. Elmalem, 100%, To: El Caracol Restaurant, Inc., dba El Caracol Restaurant, Inc., 1750 South Rainbow Boulevard, Suites 22 and 23, Francisco J. Suazo, Dir, Pres and Blanca E. Suazo, Dir, Secy, Treas, 100% jointly as husband and wife - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler On-sale License

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes and Health Dept. regulations

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Change of Business Name for a Beer/Wine/Cooler Off-sale License subject to Health Dept. regulations, Pump n' Snack, LLC, dba From: Saeid AM/PM, To: Pump n' Snack, LLC, 329 Las Vegas Boulevard, North, Hamid R. Maghamfar, Mgr, Mmbr, 100% - Ward 5 (Weekly)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Approval of Change of Business Name for a Beer/Wine/Cooler Off-sale License

RECOMMENDATION:

Recommend approval subject to Health Dept. regulations

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

NOTE: Under Item 2, COUNCILMAN MACK disclosed that the location involved in Item 13 is near the Lady Luck Casino, with which his brother-in-law, ANDREW DONNER, has a contract. Items 34 and 54 involve proposals near the Lady Luck Casino and a SuperPawn shop, which is owned by his brother, STEVEN MACK, for whom he does consulting. Additionally, the locations involved in Items 15, 25, and 36 are also near other SuperPawn shops owned by his brother, STEVEN MACK, for whom he does consulting. STEVEN MACK also owns property near the location involved in Item 19. Moreover, COUNCILMAN MACK has previously disclosed a business relationship to Becker Gaming, which is in proximity to the location involved in Item 15, due to a contract Mack Consulting had with MK² Advertising and Public Relations. Due to the expansion and evolution of Mack Consulting, its previous contract relationship with MK² has terminated. Neither ANDREW DONNER nor STEVEN MACK has mentioned any of these matters to him and COUNCILMAN MACK did not believe any of them would impact the respective businesses; therefore, he would be voting on the aforementioned items.

MINUTES:

There was no further discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Change of Business Name for a Burglar Alarm Service License, Master Installers, Inc., dba From: Protected by Masters, To: Master Installers, Inc., 2325 Western Avenue, Suite H, Edward J. Ebinger, Dir, Pres, and Christy Ebinger, Dir, Secy, Treas, 100% - jointly as husband and wife - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Business Name for a Burglar Alarm Service License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a new Hypnotist License, Lois A. Alfano, dba Lois A. Alfano, 4750 West Sahara Avenue, Suite 34, Lois A. Alfano, 100% - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Hypnotist License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

NOTE: Under Item 2, COUNCILMAN MACK disclosed that the location involved in Item 13 is near the Lady Luck Casino, with which his brother-in-law, ANDREW DONNER, has a contract. Items 34 and 54 involve proposals near the Lady Luck Casino and a SuperPawn shop, which is owned by his brother, STEVEN MACK, for whom he does consulting. Additionally, the locations involved in Items 15, 25, and 36 are also near other SuperPawn shops owned by his brother, STEVEN MACK, for whom he does consulting. STEVEN MACK also owns property near the location involved in Item 19. Moreover, COUNCILMAN MACK has previously disclosed a business relationship to Becker Gaming, which is in proximity to the location involved in Item 15, due to a contract Mack Consulting had with MK² Advertising and Public Relations. Due to the expansion and evolution of Mack Consulting, its previous contract relationship with MK² has terminated. Neither ANDREW DONNER nor STEVEN MACK has mentioned any of these matters to him and COUNCILMAN MACK did not believe any of them would impact the respective businesses; therefore, he would be voting on the aforementioned items.

MINUTES:

There was no further discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a new Psychic Art and Science License, Marzell Cohen, dba Secrets of the Wise, 4343 North Rancho Drive, #234, Marzell W. Cohen, 100% - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Psychic Art and Science License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of award of bid number 03.53541.28-LED, Contract 28, Miscellaneous Improvements - Water Pollution Control Facility (WPCF) and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: AFFORDABLE CONCEPTS, INC. (\$2,777,446.40 - Sanitation Enterprise Fund)

Fiscal Impact☐**No Impact****Amount:** \$2,777,446.40☒**Budget Funds Available****Dept./Division:** Public Works☐**Augmentation Required****Funding Source:** Sanitation Enterprise Fund**PURPOSE/BACKGROUND:**

This project consists of miscellaneous facility and site improvements at the WPCF. Work includes, but is not limited to, construction of a new central pumping station for the mechanical dewatering facility, demolition and rebuilding of Plants 1 through 4 primary sludge pumping stations, installation of new influent and dewatering gates and owner furnished scum troughs, and other related work.

PCC: L. E. Davis

POC: Robert Palochik - (702) 399-3330

RECOMMENDATION:

That the City Council approve the award of bid number 03.53541.28-LED, Contract 28 to Affordable Concepts, Inc. in the amount of \$2,777,446.40 and approve a construction conflicts & contingency reserve of \$277,745. Authority to execute contract is given to the Purchasing Manager per R-145-2001.

BACKUP DOCUMENTATION:

None

MOTION:**REESE – Motion to bring forward and STRIKE Item 17 – UNANIMOUS****MINUTES:**

There was no discussion.

(9:34 – 9:35)

1-811

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of issuance of a purchase order for a Xerox DocuTech 6100 Copier from State of Nevada's RFP Number 6394 - Department of Information Technologies - Award recommended to: XEROX CORPORATION (\$189,700 - Graphic Arts Internal Service Fund) - All Wards

Fiscal Impact☐**No Impact****Amount:** \$189,700☒**Budget Funds Available****Dept./Division:** Information Technologies☐**Augmentation Required****Funding Source:** Graphic Arts ISF**PURPOSE/BACKGROUND:**

The approval of issuance of a purchase order for a Xerox DocuTech 6100 includes the controller, Digipath, DIGIPC and Xpert Label. It also includes set up, delivery, installation, training, supplies, 12 months of maintenance and trade-in of the DocuTech 135.

This purchase is exempt from the competitive bidding process pursuant to NRS 332.195, which allows local governments to join or use the contracts of the State of Nevada.

PCC: G. Leaf

POC: Julie Miller - (702) 733-8960

CFN: 040163-GL

RECOMMENDATION:

That the City Council approve the issuance of a purchase order for a Xerox DocuTech 6100 Copier from State of Nevada RFP Number 6394 for the purchase of copiers and related supplies and accessories, excluding paper, in the amount of \$189,700.

BACKUP DOCUMENTATION:

None

MOTION:**REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS****Item 17: STRICKEN under separate action (see individual item)****MINUTES:**

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of award of bid number 040103-LED, Asbestos Abatement of 15 Condominium Buildings, 1309-1425 Laurelhurst Drive and 4817-4917 Westmoreland Drive - Department of Public Works - Award recommended to: LVI ENVIRONMENTAL OF NEVADA (\$144,425 - Housing Program Special Revenue Fund) - Ward 1 (Moncrief)

Fiscal Impact☐**No Impact****Amount:** \$144,425☒**Budget Funds Available****Dept./Division:** Public Works☐**Augmentation Required****Funding Source:** Housing Program SRF**PURPOSE/BACKGROUND:**

Work on this project consists of the abatement of asbestos from fifteen (15) condominiums which the City has purchased and are scheduled to be demolished at a later date. The condominiums are located at 1309-1425 Laurielhurst Drive and 4817-4917 Westmoreland Drive

PCC: L. E. Davis

POC: Robert Springs - (702) 220-4848

RECOMMENDATION:

That the City Council approve the award of bid number 040103-LED, Asbestos Abatement of 15 Condominium Buildings to LVI Environmental of Nevada in the amount of \$144,425. Authority to execute contract is given to the Purchasing Manager per R-145-2001.

BACKUP DOCUMENTATION:

None

MOTION:**REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS**

NOTE: Under Item 2, COUNCILMAN MACK disclosed that the location involved in Item 13 is near the Lady Luck Casino, with which his brother-in-law, ANDREW DONNER, has a contract. Items 34 and 54 involve proposals near the Lady Luck Casino and a SuperPawn shop, which is owned by his brother, STEVEN MACK, for whom he does consulting. Additionally, the locations involved in Items 15, 25, and 36 are also near other SuperPawn shops owned by his brother, STEVEN MACK, for whom he does consulting. STEVEN MACK also owns property near the location involved in Item 19. Moreover, COUNCILMAN MACK has previously disclosed a business relationship to Becker Gaming, which is in proximity to the location

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Consent - - Finance and Business Services
Item 19 – Bid No. 040103-LED

MOTION – Continued:

involved in Item 15, due to a contract Mack Consulting had with MK² Advertising and Public Relations. Due to the expansion and evolution of Mack Consulting, its previous contract relationship with MK² has terminated. Neither ANDREW DONNER nor STEVEN MACK has mentioned any of these matters to him and COUNCILMAN MACK did not believe any of them would impact the respective businesses; therefore, he would be voting on the aforementioned items.

MINUTES:

There was no further discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of rejection of bid and award of Bid Number 040092-LED, Fire Station 4, 421 South 15th Street, and Fire Station 42, 7331 West Cheyenne Avenue, Diesel Exhaust System and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Fire and Rescue - Award recommended to: B & H CONSTRUCTION, INC. (\$122,451 - Fire Services Capital Projects Fund) Wards 4 and 5 (Brown and Weekly)

Fiscal Impact

☐

No Impact

Amount: \$122,451

☒

Budget Funds Available

Dept./Division: Fire and Rescue

☐

Augmentation Required

Funding Source: Fire Services CPF

PURPOSE/BACKGROUND:

Contractor to furnish and install a diesel exhaust system in Fire Stations 4 and 42 to include the installation of duct work, electrical work and exhaust system.

Rejection of the apparent low bidder (Creative Air Consultants) is being requested because at the time of bid opening their contractor's license was suspended and NRS 338.1387 prohibits award to contractors not properly licensed.

PCC: L. E. Davis

POC: Jay Cargill - (702) 564-8484

RECOMMENDATION:

That the City Council reject low bid as non-responsive and approve award of bid 040092-LED to B & H Construction, Inc. in the amount of \$122,451 and approve a construction conflict and contingency reserve of \$12,245. Authority to execute contract is given to the Purchasing Manager per R-145-2001.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of award of Bid Number 03.19402.03-LED, Replace Ballroom Floor in Las Vegas Senior Center, 851 Bonanza Road, and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Field Operations - Award recommended to: E.B. EAMES CO., INC. (\$31,440 - Parks & Leisure Activities Capital Projects Fund) - Ward 5 (Weekly)

Fiscal Impact

☐

No Impact

Amount: \$31,440

☒

Budget Funds Available

Dept./Division: Field Operations

☐

Augmentation Required

Funding Source: Parks & Leisure Activities CPF

PURPOSE/BACKGROUND:

This project includes replacement of the existing ballroom flooring (oak parquet) and replacing with new maple flooring.

PCC: L. Davis

POC: Ezra B. Eames - (435) 752-0449

RECOMMENDATION:

That City Council approve the award of Bid Number 03.19402.03-LED, Replace Ballroom Floor in Las Vegas Senior Center to E.B. Eames Co., Inc. in the amount of \$31,440 and approve a construction conflicts reserve of \$3,000. Authority to execute contract is given to Purchasing Manager per R-145-2001.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of award of Letter of Engagement for Legislative and Governmental Relations Consulting Services - Office of the City Manager, Administrative Services - Award recommended to: LIONEL SAWYER & COLLINS (\$90,000 - General Fund)

Fiscal Impact

☐

No Impact

Amount: \$90,000

☒

Budget Funds Available

Dept./Division: City Manager

☐

Augmentation Required

Funding Source: General Fund

PURPOSE/BACKGROUND:

This contract provides support for specific issues associated with federal lands in Southern Nevada, from January 1, 2004 through December 31, 2004, at a monthly fee of \$7,000, plus estimated reimbursable expenses of \$6,000. Lionel Sawyer & Collins has been providing these services for two years, and emphasis in this new contract will be improving relations with the Department of Interior and the BLM.

Contract is exempt from competitive bidding pursuant to NRS 332.115.1(b), professional services.

PCC: L. Russell

POC: Richard Bryan - (702) 383-8845

RECOMMENDATION:

That the City Council approve Letter of Engagement to Lionel Sawyer & Collins from January 1, 2004 through December 31, 2004 the amount of \$90,000. Authority to execute letter is given to the Purchasing Manager per R-145-2001.

BACKUP DOCUMENTATION:

Certificate - Disclosure of Ownership/Principals

Submitted after Council meeting – Letter of Engagement

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Contract Number 040148, Consulting Services for Municipal Courts - Department of Information Technologies - Award recommended to: IT STRATEGIES (\$39,000 - General Fund)

Fiscal Impact☐**No Impact****Amount:** \$39,000☒**Budget Funds Available****Dept./Division:** Information Technologies☐**Augmentation Required****Funding Source:** General Fund**PURPOSE/BACKGROUND:**

This contract will provide for consulting services to the Department of Information Technologies for a Municipal Court project involving COBOL programming and analyze current programming procedures and assist in possible changes required based on the analysis.

This requirement is exempt from the competitive bidding process pursuant to NRS 332.115.1(b), professional services.

PCC: L. E. Davis

POC: Verner Dixon, Jr. - (702) 878-3828

RECOMMENDATION:

That the City Council approve award of Contract No.040148, Consulting Services for Municipal Courts to IT Strategies from date of award through March 31, 2004 in an amount not to exceed \$39,000. Authority to execute contract on behalf of the City is given to the Purchasing Manager per R-145-2001.

BACKUP DOCUMENTATION:

Certificate - Disclosure of Ownership/Principals

Submitted after Council meeting – Contract No. 04148

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

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CONSENT

☐

DISCUSSION

SUBJECT:

Approval of issuance of a purchase order for City Hall directional signage - Department of Public Works - Award recommended to: INNERFACE SIGN SYSTEMS, INC. (\$116,787.42 - City Facilities Capital Projects Fund) - Ward 5 (Weekly)

Fiscal Impact

☐

No Impact

Amount: \$116,787.42

☒

Budget Funds Available

Dept./Division: Public Works

☐

Augmentation Required

Funding Source: City Facilities CPF

PURPOSE/BACKGROUND:

This request will provide for the purchase of interior and exterior City Hall directional signage.

This item is exempt from competitive bidding process pursuant to NRS 332.115.1(m), supplies, materials or equipment that are available from contracts with General Services Administration or another governmental agency in the regular course of its business.

PCC: A. Green

POC: Paula Wofford - (800) 445-4796

CFN: 040176-TG

RECOMMENDATION:

That the City Council approve the issuance of a purchase order for interior and exterior City Hall directional signage to Innerface Sign Systems, Inc. in the amount of \$116,787.42.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of award of Bid Number 03.15341.08-LED, Washington Buffalo Park, Phase 1A and 1B - located at the southwest corner of Washington Avenue and Buffalo Drive and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: ASPHALT PRODUCTS CORPORATION (\$29,731,321.93 - Parks and Leisure Activities Capital Projects Fund) - Ward 4 (Brown)

Fiscal Impact☐**No Impact****Amount:** \$29,731,321.93☒**Budget Funds Available****Dept./Division:** Public Works☐**Augmentation Required****Funding Source:** Parks and Leisure Activities CPF**PURPOSE/BACKGROUND:**

Project consists of construction of a 107-acre park on the southwest corner of Washington Avenue and Buffalo Drive. Park consists of 22 lighted tennis courts; one (1) championship court and a pro shop and eleven (11) soccer fields with goals; two restrooms with concession building; and other improvements. Award also includes seven (7) additive alternate items: tube fencing around the north, east and west sides of soccer fields 3 - 11; tennis trellis structures; restroom/storage building; single armadas; park monument entries; par fitness course; and tube fence south side of soccer fields 3 - 11.

The annual operating and maintenance costs for this park site are estimated to be \$1,431,981.

PCC: L. Davis

POC: Randy Nickerl - (702) 734-0198

RECOMMENDATION:

That the City Council approve the award of Bid Number 03.15341.08-LED, Washington Buffalo Park, Phase 1A and 1B to Asphalt Products Corporation in the amount of \$29,731,321.93 and approve a construction conflicts and contingency reserve of \$2,081,120. Authority to execute the contract on behalf of the City is given to the Purchasing Manager per R-145-2001.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

CITY COUNCIL MEETING OF DECEMBER 17, 2003

Consent – Finance and Business Services

Item 25 – Bid No. 03.15341.08-LED

MOTION – Continued:

NOTE: Under Item 2, COUNCILMAN MACK disclosed that the location involved in Item 13 is near the Lady Luck Casino, with which his brother-in-law, ANDREW DONNER, has a contract. Items 34 and 54 involve proposals near the Lady Luck Casino and a SuperPawn shop, which is owned by his brother, STEVEN MACK, for whom he does consulting. Additionally, the locations involved in Items 15, 25, and 36 are also near other SuperPawn shops owned by his brother, STEVEN MACK, for whom he does consulting. STEVEN MACK also owns property near the location involved in Item 19. Moreover, COUNCILMAN MACK has previously disclosed a business relationship to Becker Gaming, which is in proximity to the location involved in Item 15, due to a contract Mack Consulting had with MK² Advertising and Public Relations. Due to the expansion and evolution of Mack Consulting, its previous contract relationship with MK² has terminated. Neither ANDREW DONNER nor STEVEN MACK has mentioned any of these matters to him and COUNCILMAN MACK did not believe any of them would impact the respective businesses; therefore, he would be voting on the aforementioned items.

MINUTES:

There was no further discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: HUMAN RESOURCES

DIRECTOR: F. CLAUDETTE ENUS

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CONSENT

☐

DISCUSSION

SUBJECT:

Approval to create fifteen (15) regular full time Corrections Officer positions to supervise inmates at the Unit Six Building at the City Detention Center (\$1,190,625 - General Fund) - Ward 3 (Reese)

Fiscal Impact

☐

No Impact

Amount: \$1,190,625

☒

Budget Funds Available

Dept./Division: Detention & Enforcement

☐

Augmentation Required

Funding Source: General Fund

PURPOSE/BACKGROUND:

In order to alleviate overcrowding and unacceptable conditions of confinement, it is necessary to hire 15 additional Corrections Officers to supervise up to 200 inmates that will occupy the vacant Unit Six building at the City Detention Center. This hiring will also allow continued successful management of the inmate bed rental program that will generate in excess of \$11,000,000 this fiscal year. The initial fiscal impact of \$1,190,625 will be offset by the additional revenue gained by opening Unit Six.

RECOMMENDATION:

Approve creation of fifteen regular full time Corrections Officer positions.

BACKUP DOCUMENTATION:

Staffing Justification Booklet

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: HUMAN RESOURCES

DIRECTOR: F. CLAUDETTE ENUS

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of payment for a permanent partial disability award - Claim #WC02090250 - as required under the workers' compensation statutes (\$48,226 - Workers' Compensation Internal Service Fund)

Fiscal Impact

☐

No Impact

Amount: \$48,226

☒

Budget Funds Available

Dept./Division: Human Resources - Insurance

☐

Augmentation Required

Funding Source: Workers' Compensation Internal Service Fund

PURPOSE/BACKGROUND:

A Motor Sweeper Operator was diagnosed with bi-lateral knee & left wrist injuries when she fell forward descending stairs. She has been rated by a state authorized medical doctor who determined that the injury resulted in a 13 percent whole body impairment.

RECOMMENDATION:

Approval of the \$48,226 payment for permanent partial disability award.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: HUMAN RESOURCES

DIRECTOR: F. CLAUDETTE ENUS

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of payment for a permanent partial disability award - Claim #WC02060149 - as required under the workers' compensation statutes (\$27,509 from the Workers' Compensation Internal Service Fund)

Fiscal Impact

☐

No Impact

Amount: \$27,509

☒

Budget Funds Available

Dept./Division: Human Resources - Insurance

☐

Augmentation Required

Funding Source: Workers' Compensation Internal Service Fund

PURPOSE/BACKGROUND:

A maintenance worker was diagnosed with a right elbow injury after lifting a shopping cart over his head to put it into a truck. He has been rated by a state authorized physician who determined that the injury resulted in a 7 percent whole body impairment.

RECOMMENDATION:

Approval of the \$27,509 payment for permanent partial disability award.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: HUMAN RESOURCES**DIRECTOR: F. CLAUDETTE ENUS**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval to renew contract with Harmony HealthCare (\$30,000 - Self-insurance Internal Service Fund)

Fiscal Impact☐**No Impact****Amount:** \$30,000☒**Budget Funds Available****Dept./Division:** Human Resources - Insurance☐**Augmentation Required****Funding Source:** Self-insurance Internal Service Fund**PURPOSE/BACKGROUND:**

The City Health Insurance Plan (CHIP) is a self-funded Preferred Provider Organization (PPO) plan. The Employee Assistance Program (EAP), is designed to assist employees with behavioral or mental issues. Harmony HealthCare currently provides that service to the City. Harmony HealthCare contracts with physicians and mental health providers thereby establishing our EAP network. Costs are within approved FY2004 budgets.

RECOMMENDATION:

Approval of the renewal of contract with Harmony HealthCare.

BACKUP DOCUMENTATION:

Harmony HealthCare letter from Deborah Madro dated September 22, 2003.

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: HUMAN RESOURCES

DIRECTOR: F. CLAUDETTE ENUS

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval to renew contract with Horizon Health Network (\$39,600 - Self-insurance Internal Service Fund)

Fiscal Impact

☐

No Impact

Amount: \$39,600

☒

Budget Funds Available

Dept./Division: Human Resources - Insurance

☐

Augmentation Required

Funding Source: Self-insurance Internal Service Fund

PURPOSE/BACKGROUND:

The City Health Insurance Plan (CHIP) is a self-funded Preferred Provider Organization (PPO) plan. The PPO network is currently contracted through Horizon Health Network. Horizon Health Network contracts with participating physicians and hospitals, thereby establishing our PPO network. Costs are within approved FY2004 budgets.

RECOMMENDATION:

Approval to renew the contract with Horizon Health Network.

BACKUP DOCUMENTATION:

Amendment II to the Network Services Agreement.

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: HUMAN RESOURCES

DIRECTOR: F. CLAUDETTE ENUS

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval to renew the contract with Vision Service Plan (VSP) (\$305,000 - Self-insurance Internal Service Fund)

Fiscal Impact

☐

No Impact

Amount: \$305,000

☒

Budget Funds Available

Dept./Division: Human Resources - Insurance

☐

Augmentation Required

Funding Source: Self-insurance Internal Service Fund

PURPOSE/BACKGROUND:

The City's vision plan is currently offered through Vision Service Plan (VSP). The current contract expires December 31, 2003. No increase of premium is requested. No revisions to the current plan design are recommended. Costs are within approved FY2004 budgets.

RECOMMENDATION:

Approval of the renewal of the contract with Vision Service Plan.

BACKUP DOCUMENTATION:

Vision Service Plan - January 1, 2004 renewal letter dated June 27, 2003.

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: HUMAN RESOURCES

DIRECTOR: F. CLAUDETTE ENUS

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval to contract with Health Plan of Nevada for Health Maintenance Organization (HMO) services (\$900,000 - Self-insurance Internal Service Fund)

Fiscal Impact

☐

No Impact

Amount: \$900,000

☒

Budget Funds Available

Dept./Division: Human Resources - Insurance

☐

Augmentation Required

Funding Source: Self-insurance Internal Service Fund

PURPOSE/BACKGROUND:

The City of Las Vegas currently uses Health Plan of Nevada (HPN) for its Health Maintenance Organization (HMO) medical plan. A renewal has been submitted that extends the current contract until March 1, 2004. A rate increase of 9.79% has been requested. There has been no increase in rates for the past two years. Costs are within approved FY2004 budgets.

RECOMMENDATION:

Approval to renew the Health Maintenance Organization contract with Health Plan of Nevada. HPN 10 + \$5/\$25/\$45/GBSIO plan recommendation.

BACKUP DOCUMENTATION:

1. E-mail from Jamie Crosley-Martin dated October 16, 2003.
2. Medical and Rx Cost Summary Date Quoted: July 10, 2003.

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

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AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR:** ORLANDO SANCHEZ (ACTING) ☒ **CONSENT** ☐ **DISCUSSION****SUBJECT:**

Approval of reallocating \$13,500 of Fiscal Year 2003 CLV Rehabilitation and Construction Project funding to the East Las Vegas Business/Incubator Center at the Northwest corner of Stewart and Mojave Avenues for the purpose of adding the geotechnical, survey, and construction administration work to the funding approved August 6, 2003, for architectural and engineering services for a total amount of \$213,500 for the project design services (Community Development Block Grant) - Ward 3 (Reese)

Fiscal Impact☐**No Impact****Amount:** \$13,500☒**Budget Funds Available****Dept./Division:** Neigh. Svcs./Neigh. Devel.☐**Augmentation Required****Funding Source:** Community Development Block Grant (CDBG)**PURPOSE/BACKGROUND:**

On August 6, 2003, City Council approved \$200,000 for architectural and engineering services of the East Las Vegas Business/Incubator Center. The East Las Vegas Business/Incubator Center will provide training and development assistance to emerging and start-up businesses and office rentals to established businesses. The additional \$13,500 will allow the city to include the geotechnical and survey work as well as construction administration in the Professional Services Agreement for the architect.

RECOMMENDATION:

Staff recommends that the City Council approve the allocation of an additional \$13,500 of Community Development Block Grant funds for architectural and engineering services for the East Las Vegas Business/Incubator Center.

BACKUP DOCUMENTATION:

None

MOTION:**REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS****Item 17: STRICKEN under separate action (see individual item)****MINUTES:**

There was no related discussion.

(9:35 – 9:37)

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AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: ORLANDO SANCHEZ (ACTING)** ☒ **CONSENT** ☐ **DISCUSSION****SUBJECT:**

Approval of an Interlocal Agreement with the State of Nevada Department of Transportation to provide \$5,000 in matching funds in order to receive \$20,000 in Federal Scenic Byways funds for the creation of a management plan for the Las Vegas Boulevard state scenic byway (General Fund) - All Wards

Fiscal Impact☐**No Impact****Amount: \$5,000**☒**Budget Funds Available****Dept./Division:** Neigh. Services/Planning☐**Augmentation Required****Funding Source:** General Fund**PURPOSE/BACKGROUND:**

On November 28, 2001, the State of Nevada established Las Vegas Boulevard from Sahara Avenue north to Washington Avenue as a State of Nevada Scenic Byway. This designation enabled the City to apply for a \$25,000 Federal Byway Grant to develop a Corridor Management Plan (CMP). A CMP is required in order to receive Federal Scenic Byway status which, once successful, will enable the City to apply for millions of dollars in grants for projects along the Byway.

RECOMMENDATION:

That the City Council approve the Interlocal Agreement with the State of Nevada Department of Transportation for the procurement of professional services relating to the creation of a management plan for the Las Vegas Boulevard state scenic byway.

BACKUP DOCUMENTATION:

Interlocal Agreement

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

NOTE: Under Item 2, COUNCILMAN MACK disclosed that the location involved in Item 13 is near the Lady Luck Casino, with which his brother-in-law, ANDREW DONNER, has a contract. Items 34 and 54 involve proposals near the Lady Luck Casino and a SuperPawn shop, which is owned by his brother, STEVEN MACK, for whom he does consulting. Additionally, the locations involved in Items 15, 25, and 36 are also near other SuperPawn shops owned by his brother, STEVEN MACK, for whom he does consulting. STEVEN MACK also owns property near the location involved in Item 19. Moreover, COUNCILMAN MACK has previously disclosed a business relationship to Becker Gaming, which is in proximity to the location involved in Item 15, due to a contract Mack Consulting had with MK² Advertising and Public

CITY COUNCIL MEETING OF DECEMBER 17, 2003

Consent – Neighborhood Services

Item 34 - Approval of an Interlocal Agreement with the State of Nevada Department of Transportation to provide \$5,000 in matching funds in order to receive \$20,000 in Federal Scenic Byways funds for the creation of a management plan for the Las Vegas Boulevard state scenic byway (General Fund)

MOTION – Continued:

Relations. Due to the expansion and evolution of Mack Consulting, its previous contract relationship with MK² has terminated. Neither ANDREW DONNER nor STEVEN MACK has mentioned any of these matters to him and COUNCILMAN MACK did not believe any of them would impact the respective businesses; therefore, he would be voting on the aforementioned items.

MINUTES:

There was no further discussion.

(9:35 – 9:37)

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AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Second Supplemental Interlocal Contract #321a between the City of Las Vegas and the Regional Transportation Commission to increase funding for Vegas Drive (Rancho Drive to I-15) (\$500,000 - Regional Transportation Commission) - Ward 5 (Weekly)

Fiscal Impact

☐

No Impact

Amount: \$500,000

☒

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source: Regional Transportation Commission

PURPOSE/BACKGROUND:

Second Supplemental Interlocal Contract #321a between the City of Las Vegas and the Regional Transportation Commission will increase construction and construction engineering funding for Vegas Drive (Rancho Drive to I-15). This Second Supplemental Interlocal Contract was approved at the November 13, 2003 Regional Transportation Commission board meeting. Total cost of this contract shall not exceed \$11,407,000.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Second Supplemental Interlocal Contract #321a

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

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AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Supplemental Interlocal Contract #421a between the City of Las Vegas and the Regional Transportation Commission to increase funding for Washington Avenue, Durango Drive to Buffalo Drive (\$1,250,000 - Regional Transportation Commission) - Ward 2 (L.B. McDonald)

Fiscal Impact☐**No Impact****Amount:** \$1,250,000☒**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:** Regional Transportation Commission**PURPOSE/BACKGROUND:**

Supplemental Interlocal Contract #421a between the City of Las Vegas and the Regional Transportation Commission to increase funding for Washington Avenue, Durango Drive to Buffalo Drive. This First Supplemental Interlocal Contract was approved at the November 13, 2003 Regional Transportation Commission board meeting. Total cost of this contract shall not exceed \$1,500,000.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Supplemental Interlocal Contract #421a

MOTION:**REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS****Item 17: STRICKEN under separate action (see individual item)**

NOTE: Under Item 2, COUNCILMAN MACK disclosed that the location involved in Item 13 is near the Lady Luck Casino, with which his brother-in-law, ANDREW DONNER, has a contract. Items 34 and 54 involve proposals near the Lady Luck Casino and a SuperPawn shop, which is owned by his brother, STEVEN MACK, for whom he does consulting. Additionally, the locations involved in Items 15, 25, and 36 are also near other SuperPawn shops owned by his brother, STEVEN MACK, for whom he does consulting. STEVEN MACK also owns property near the location involved in Item 19. Moreover, COUNCILMAN MACK has previously disclosed a business relationship to Becker Gaming, which is in proximity to the location involved in Item 15, due to a contract Mack Consulting had with MK² Advertising and Public Relations. Due to the expansion and evolution of Mack Consulting, its previous contract relationship with MK² has terminated. Neither ANDREW DONNER nor STEVEN MACK has mentioned any of these matters to him and COUNCILMAN MACK did not believe any of them would impact the respective businesses; therefore, he would be voting on the aforementioned items.

CITY COUNCIL MEETING OF DECEMBER 17, 2003

Consent – Public Works

Item 36 – Approval of Supplemental Interlocal Contract #421a between the City of Las Vegas and the Regional Transportation Commission to increase funding for Washington Avenue, Durango Drive to Buffalo Drive (\$1,250,000 - Regional Transportation Commission)

MINUTES:

There was no further discussion.

(9:35 – 9:37)

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AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Supplemental Interlocal Contract #440 between the City of Las Vegas and the Regional Transportation Commission to reduce funding for the Arterial Restoration and Preservation Projects Fiscal Year 2004 (\$2,497,000 reduction - Regional Transportation Commission) - All Wards

Fiscal Impact☒**No Impact****Amount:** \$2,497,000 reduction☐**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:** Regional Transportation Commission**PURPOSE/BACKGROUND:**

Supplemental Interlocal Contract #440 between the City of Las Vegas and the Regional Transportation Commission to decrease funding for the Arterial Restoration and Preservation Projects Fiscal Year 2004. This First Supplemental Interlocal Contract was approved at the November 13, 2003 Regional Transportation Commission board meeting. Total cost of this contract shall not exceed \$3,997,000.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Supplemental Interlocal Contract #440

MOTION:**REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS****Item 17: STRICKEN under separate action (see individual item)****MINUTES:**

There was no related discussion.

(9:35 – 9:37)

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AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Interlocal Contract #457 between the City of Las Vegas and the Regional Transportation Commission for funding of Bonneville/Clark One-Way Couplet (\$15,300,000 - Regional Transportation Commission) - Ward 5 (Weekly)

Fiscal Impact

☐

No Impact

Amount: \$15,300,000

☒

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source: Regional Transportation Commission

PURPOSE/BACKGROUND:

Interlocal Contract #457 between the City of Las Vegas and the Regional Transportation Commission provides for engineering design, contract administration, surveying, inspection, testing, right-of-way engineering, right-of-way negotiations and acquisition, utility relocation and construction for Bonneville/Clark One-Way Couplet. This contract was approved at the November 13, 2003 Regional Transportation Commission board meeting. Total cost of this contract shall not exceed \$15,300,000.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Interlocal Contract #457

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

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AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of an Interlocal Contract with Clark County for the removal of six Nevada Power Company transformers from public right of way (on Clark Avenue west of Third Street) - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

During the construction of the Regional Justice Center, six large electrical transformers were constructed in the middle of the sidewalk on the south side of Clark Avenue, just west of Third Street. The Interlocal Contract commits Clark County to cause the relocation of the transformers within six months of executing this Interlocal Contract.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Interlocal Contract

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

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AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Professional Services Agreement with Black & Veatch Corporation for Construction Management Services on the Bruce Street and Charleston Boulevard Sanitary Sewer Rehabilitation Project (\$450,000 - City of Las Vegas Sanitation Fund) - Wards 1 and 3 (Moncrief and Reese)

Fiscal Impact

☐

No Impact

Amount: \$450,000

☒

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source: City of Las Vegas Sanitation Fund

PURPOSE/BACKGROUND:

The City of Las Vegas desires to obtain construction management services for the construction of a new 21" sewer line in the area of Bonanza Road and Bruce Street and also the rehabilitation in place of 39", 45" and 51" sewer in Charleston Boulevard, from Sandhill Road to Nellis Boulevard.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Professional Services Agreement

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Amendment No. 1 to Highway Agreement No. P624-03-063 with the Nevada Department of Transportation which will extend the termination date of the original agreement from December 31, 2003 to December 31, 2004 (Charleston/Valley View intersection) - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This amendment is necessary to extend the termination date of Federal Safety funding for the design and construction of safety improvements at the Charleston/Valley View intersection. The original agreement allows the City of Las Vegas to design and construct road improvements at the Charleston Boulevard/Valley View Boulevard intersection utilizing Federal Safety and State funds. The improvements will consist of a right turn lane from westbound Charleston to north bound Valley View and an additional left turn lane from westbound Charleston to southbound Valley View.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Amendment No. 1 to Highway Agreement No. P624-03-063

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

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AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of an Engineering Design Services Agreement with MWH, Inc. for design of the Meadows Alta Parallel Project, Phase II (\$645,000 - Clark County Regional Flood Control District) - Ward 1 (Moncrief)

Fiscal Impact

☐

No Impact

Amount: \$645,000

☒

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source: Clark County Regional Flood Control District

PURPOSE/BACKGROUND:

The agreement is to procure engineering design services from MWH, Inc. for design of a Clark County Regional Flood Control District Master Plan facility which will extend from the intersection of Jones Boulevard and Alta Drive to the intersection of Bedford Road and Alta Drive. The storm drain will parallel an existing drainage facility in Alta Drive with an alignment largely following Evergreen Avenue.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Engineering Design Services Agreement

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

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AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of the Gowan North Detention Basin Park Development Agreement for an "Open Space" transfer park to be built by KB Home Nevada Inc. in the North Gowan Detention Basin near Alexander Road and Tenaya Way - Ward 4 (Brown)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: PW/Engineering Integration

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

To comply with the open space requirements of the master plan for the Mayfield development, KB Home Nevada Inc. will build a 7.7-acre "Dog Park" on Bureau of Land Management land to be provided by the City of Las Vegas in the North Gowan Detention Basin.

RECOMMENDATION:

It is recommended that the City Council approve this agreement.

BACKUP DOCUMENTATION:

Gowan North Detention Basin Park Development Agreement

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of an Encroachment Request from VTN Nevada on behalf of Westview, LLC, owner (northwest corner of Tee Pee Lane and Dorrell Lane) - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed encroachment consists of an approximate 7.5' wide area of landscaping on the west side of Tee Pee Lane extending approximately 584' northward from Dorrell Lane consisting of trees, shrubs, ground cover, and an irrigation system to meet Town Center Landscaping Requirements for the proposed Ridgeway Unit 1 subdivision. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability, and removal.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Copy of Encroachment Exhibit "A" (Tee Pee Lane between Dorrell Lane and Wittig Avenue)

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of an Encroachment Request from Beazer Homes Holdings Corporation, owner (southeast corner of Grand Teton Drive and Hualapai Way) - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed encroachment consists of landscaping at the southeast corner of Grand Teton Drive and Hualapai Way and an approximate 5' wide area of landscaping on the south side of Grand Teton Drive extending approximately 561" eastward from Hualapai Way consisting of trees, shrubs, ground cover, and an irrigation system for the proposed Beazer Homes at Grand Teton Village Unit 2 subdivision. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability, and removal.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Copy of Encroachment Exhibit "A" (southeast corner of Grand Teton Drive and Hualapai Way)

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

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AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of an Encroachment Request from Beazer Homes Holdings Corporation, owner (Grand Teton Drive east of Hualapai Way) - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed encroachment consists of an approximate 5' wide area of landscaping on the south side of Grand Teton Drive extending approximately 672' along the property line consisting of trees, shrubs, ground cover, and an irrigation system for the proposed Beazer Homes at Grand Teton Village Unit 1 subdivision. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability, and removal.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Copy of Encroachment Exhibit "A" (Grand Teton Drive east of Hualapai Way)

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

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AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of an Encroachment Request from Senior Pastor James M. Rogers on behalf of New Jerusalem Baptist Church, owner (308 Jefferson Avenue) - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed encroachment consists of an approximate 20' wide area of landscaping on the north side of Jefferson Avenue extending approximately 51' along the property line consisting of trees, rock, and an irrigation system to satisfy a condition of Z-0070-02 for the Family Life Center expansion for the New Jerusalem Baptist Church. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability, and removal.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Copy of Encroachment Exhibit "A" (308 Jefferson Avenue)

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

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AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Professional Services Agreement with Lucchesi, Galati Architects, Inc. for the design services of Centennial Hills Leisure Center located at Buffalo Drive and Deer Springs Way (\$2,107,900 - 1999 Recreation Bonds and Deer Springs Park Phase II Fund Balance Carryover) - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$2,107,900

☒

Budget Funds Available

Dept./Division: PW/Engineering Integration

☐

Augmentation Required

Funding Source: 1999 Recreation Bonds & Fund Balance Carryover

PURPOSE/BACKGROUND:

To design a regional leisure center consisting of multi-generational uses including gymnasium, fitness and dance studios, game and pre-school age room, craft rooms, conference space, senior activity rooms, aquatics, outdoor activity areas and related site and infrastructure improvements.

RECOMMENDATION:

That the City Council approve the negotiated Professional Service Agreement with Lucchesi Galati Architects, Inc. for the design services of Centennial Hills Leisure Center in the amount of \$2,107,900 and approve an Additional Services contingency reserve of \$250,000.

BACKUP DOCUMENTATION:

Professional Services Agreement

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

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AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Professional Services Agreement with Indigo Architecture Inc., for the design services of East Las Vegas Business-Incubator Center located at the northwest corner of Stewart Avenue and Mojave Road (\$266,500 - Community Development Block Grant) - Ward 3 (Reese)

Fiscal Impact

☐

No Impact

Amount: \$266,500

☒

Budget Funds Available

Dept./Division: PW/Engineering Integration

☐

Augmentation Required

Funding Source: Community Development Block Grant

PURPOSE/BACKGROUND:

To Design a 17,000 square feet business office incubator project with related parking and site amenities.

RECOMMENDATION:

That the City Council approve the negotiated Professional Service Agreement with Indigo Architecture Inc., for the design services of East Las Vegas Business-Incubator Center in the amount of \$266,500 and approve an Additional Services contingency reserve of \$30,000.

BACKUP DOCUMENTATION:

Professional Services Agreement

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-177-2003 - Approval of a Resolution directing the City Treasurer to prepare the Fifty-Third Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Acquisition, construction and installation of streets, sanitary sewer, storm sewers, and water main projects. Parcel is located in Mariposa @ The Paseos - Unit 2.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-177-2003

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-178-2003 - Approval of a Resolution approving the Fifty-Third Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Acquisition, construction and installation of streets, sanitary sewer, storm sewers, and water main projects. Parcel is located in Mariposa @ The Paseos - Unit 2.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-178-2003

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-179-2003 - Approval of a Resolution directing the City Treasurer to prepare the Fifth Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Acquisition, construction and installation of streets, sanitary sewer, storm sewers, and water main projects. Parcel is located in Mariposa @ The Paseos - Unit 2.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-179-2003

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-180-2003 - Approval of a Resolution approving the Fifth Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Acquisition, construction and installation of streets, sanitary sewer, storm sewers, and water main projects. Parcel is located in Mariposa @ The Paseos - Unit 2.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-180-2003

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:****RESOLUTIONS:**

R-181-2003 - Approval of a Resolution of intent to amend the use of proceeds and pledged funding source for the City of Las Vegas, Nevada, General Obligation (Limited Tax) Parking Bonds, additionally secured by pledged revenues, Series 2002A; and calling for a public hearing and related publications - Wards 1 and 5 (Moncrief and Weekly)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Because the parking garage originally planned for this bond issue is now no longer feasible, the City is developing plans to change the use of the proceeds to the construction of a second tower for the City Hall campus. Additionally, the pledged source for repayment will be changed from the parking enterprise fund to consolidated tax. We obtained approval from the Clark County Debt Management Commission on December 5, 2003 and ultimately plan to amend the bond ordinance with a consent from the insurer of the bonds.

RECOMMENDATION:

Staff recommends approval.

BACKUP DOCUMENTATION:

Resolution No. R-181-2003 - Resolution of Intent to Amend the 2002A Bonds

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

NOTE: Under Item 2, COUNCILMAN MACK disclosed that the location involved in Item 13 is near the Lady Luck Casino, with which his brother-in-law, ANDREW DONNER, has a contract. Items 34 and 54 involve proposals near the Lady Luck Casino and a SuperPawn shop, which is owned by his brother, STEVEN MACK, for whom he does consulting. Additionally, the locations involved in Items 15, 25, and 36 are also near other SuperPawn shops owned by his brother, STEVEN MACK, for whom he does consulting. STEVEN MACK also owns property near the location involved in Item 19. Moreover, COUNCILMAN MACK has previously disclosed a business relationship to Becker Gaming, which is in proximity to the location

CITY COUNCIL MEETING OF DECEMBER 17, 2003

Consent – Resolutions

Item 54 – R-181-2003

MOTION – Continued:

involved in Item 15, due to a contract Mack Consulting had with MK² Advertising and Public Relations. Due to the expansion and evolution of Mack Consulting, its previous contract relationship with MK² has terminated. Neither ANDREW DONNER nor STEVEN MACK has mentioned any of these matters to him and COUNCILMAN MACK did not believe any of them would impact the respective businesses; therefore, he would be voting on the aforementioned items.

MINUTES:

There was no further discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of a Land Lease Agreement between the City of Las Vegas and Pacific Bell Wireless, LLC, doing business as Cingular Wireless for a wireless communications system located on approximately 264 square feet of property located at 850 North Mojave Road, commonly known as Freedom Park - (\$499,896 revenue for duration of contract) - Ward 3 (Reese)

Fiscal Impact☐**No Impact****Amount:** \$499,896 revenue☐**Budget Funds Available****Dept./Division:** Public Works/Real Estate☐**Augmentation Required****Funding Source:** Parks C.I.P./Misc. Rentals**PURPOSE/BACKGROUND:**

On 9/3/03, Council approved staff entering into negotiations with multiple cellular companies for future cell tower land leases. This contract is for 264 square feet and will construct an antennae atop of an existing light pole and foundation, equipment shelter and security fencing. Cingular Wireless shall pay the City a one-time administrative fee of \$1,000 and a park maintenance use fee of \$2,000 and yearly rent will start at \$18,600. The initial term is for five years with three five year options.

RECOMMENDATION:

The 12/15/2003 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

Land Lease Agreement/Cell Tower

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

Under Item 2, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all the Real Estate items on the Consent Agenda and joins with the recommendation of staff that each item be approved by the City Council.

There was no further discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval to extend the temporary Operational and Services Provider Agreement to July 7, 2004, between O.B. Sports Golf Management, LLC and Las Vegas Golf I, LLC, at Angel Park Golf Course, 100 South Rampart Boulevard, for management and oversight duties - Ward 2 (L.B. McDonald)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/Real Estate

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

On July 2, 2003, City Council approved a nine month temporary operational agreement between Las Vegas Golf I, LLC and O.B. Sports Management, LLC subject to reconsideration at the time the liquor license comes forward to Council, and a six month temporary liquor license. The temporary liquor license was extended 11/19/03 for six months from the original expiration, which will then expire 7/7/04.

RECOMMENDATION:

The 12/15/2003 Real Estate Committee and staff recommend approval to extend the temporary operational agreement to 7/7/04 to coincide with the expiration date of the temporary liquor license approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

Under Item 2, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all the Real Estate items on the Consent Agenda and joins with the recommendation of staff that each item be approved by the City Council.

There was no further discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of entering into negotiations with Cingular Wireless for a land lease agreement for a cellular tower to be located at 2801 West Oakey, commonly known as Bob Baskin Park - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/Real Estate

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

As growth occurs in the valley, additional cellular towers are required to continue to provide valley residents with communication services. Staff will bring back the land lease agreement to Council indicating the details of the tower construction location and all the specific information detailing the shelter and tower. The lease agreement does not preempt the standard approval process that Cingular needs to go through with the Planning Department for approval of the permits.

RECOMMENDATION:

The 12/15/2003 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

1. Letter of Interest for site
2. Drawings
3. Pictures

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

Under Item 2, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all the Real Estate items on the Consent Agenda and joins with the recommendation of staff that each item be approved by the City Council.

There was no further discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of entering into negotiations for a lease agreement with the International Institute of Modern Letters for office space located at 400 South Las Vegas Boulevard, commonly referred to as the Fifth Street School - Ward 1 (Moncrief)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Public Works/Real Estate☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The International Institute of Modern Letters contacted the Real Estate & Assets office to enter into a lease agreement for office space. The International Institute of Modern Letter's mission is to identify and support emerging writers in this country and abroad, and to provide assistance in various forms to writers.

RECOMMENDATION:

The 12/15/2003 Real Estate Committee and staff recommend approval to enter into negotiations

BACKUP DOCUMENTATION:

1. Letter
2. Site Map

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

Under Item 2, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all the Real Estate items on the Consent Agenda and joins with the recommendation of staff that each item be approved by the City Council.

There was no further discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of an Agreement for the Purchase and Sale of Real Property and Escrow Instructions between the City and Grand Teton & El Capitan, LLC for real property consisting of approximately 6.23 acres located at Grand Teton Drive and US-95 North, APN 125-08-401-004 (\$1,848,097.80 plus closing costs) - Ward 6 (Mack)

Fiscal Impact☐**No Impact****Amount:** \$1,848,097.80 + closing costs☒**Budget Funds Available****Dept./Division:** Public Works / Real Estate☐**Augmentation Required****Funding Source:** R.T.C.**PURPOSE/BACKGROUND:**

The LLC-owned parcel represents approximately 6.23 acres of vacant land. The City desires to purchase this parcel located near US 95 in conjunction with future roadway and rights-of-way for the Grand Teton overpass. Staff was granted approval to negotiate at Council 3/5/2003.

RECOMMENDATION:

The 12/15/2003 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

Purchase and Sale of Real Property and Escrow Instructions

MOTION:

REESE – Motion to APPROVE Items 2-16 and 18-59 – UNANIMOUS

Item 17: STRICKEN under separate action (see individual item)

MINUTES:

Under Item 2, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all the Real Estate items on the Consent Agenda and joins with the recommendation of staff that each item be approved by the City Council.

There was no further discussion.

(9:35 – 9:37)

1-859

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY MANAGER**DIRECTOR: DOUGLAS A. SELBY**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ADMINISTRATIVE:

Discussion and possible action concerning the payment of utility costs associated with the operation of the Durango Hills Leisure Services Center operated by the YMCA (\$234,288 annually plus inflation – General Fund) – Ward 4 (Brown)

Fiscal Impact☐**No Impact****Amount:** \$234,288 annually plus inflation☒**Budget Funds Available****Dept./Division:** Utilities☐**Augmentation Required****Funding Source:** General Fund**PURPOSE/BACKGROUND:**

Since January 7, 2000, the City and the YMCA of Southern Nevada have partnered in an operating agreement for the management, operation and maintenance of the City-owned Durango Hills Leisure Services Center. Since this date, City Council has approved an annual request by the YMCA that the City assume payment of all utility costs associated with the operation of the Center. At the December 18, 2002 Council meeting, the Mayor and Council requested an audit be conducted to provide a comparison with the operations of the Veterans Memorial Leisure Services Center. That audit was published on December 3, 2003. The YMCA is requesting that the City continue to reimburse the YMCA for all of the utility expenses for this and all future years in which the YMCA operates the facility. Based on the trending of utility reimbursements for the previous years, the cost for 2004 is estimated at \$234,288. The contract (without extensions) extends through January 22, 2008. The estimated cost for these four remaining years is projected to be \$1,010,000 (based on 5% inflation).

RECOMMENDATION:

We recommend that the Council review the Audit findings and the YMCA's utility reimbursement request and authorize the Mayor to execute a first amendment to the operating agreement to extend the payment of utilities for the duration of the original Operating Agreement.

BACKUP DOCUMENTATION:

1. Letter from YMCA dated November 13, 2003
2. YMCA Annual Utility Reimbursements 2000 - 2004
3. YMCA Income Statement – Month and YTD Comparison to Budget for Period October 2003
4. City Auditor Special Report entitled "Comparison of Durango Hills and Veterans Memorial Leisure Services Centers"

CITY COUNCIL MEETING OF DECEMBER 17, 2003

Administrative

Item 60 – Discussion and possible action concerning the payment of utility costs associated with the operation of the Durango Hills Leisure Services Center operated by the YMCA (\$234,288) annually plus inflation – General Fund)

MOTION:

BROWN – APPROVED as recommended – UNANIMOUS

MINUTES:

DEPUTY CITY MANAGER HOUCHENS went over the information contained under the Purpose/Background section on the Agenda Summary Page. He noted that the report was generally favorable to both operations. He then introduced RAD SNELDING, City Auditor, for a summation of his review, and pointed out that MIKE LUBBE, President and Chief Executive Officer of the YMCA, was present.

MR. SNELDING reported that the two centers are similar in size and design, but are actually operated quite differently. Most notably, they service different communities; they have different operators; they have different pools, and they have very different fee structures. The comparison was based on calendar year 2002 for both financial and operations data. The audit report demonstrated that the Veterans Memorial Leisure Center had a deficit of \$831,000, which was more than three times the same deficit with Durango Hills, at \$267,000. The recovery rate, revenue versus expenses, for Durango Hills, sat at 84%; whereas, the recovery rate for Veterans Memorial was 39%. The higher recovery rate was primarily due to Durango Hills' ability to generate approximately 2.6 times Veterans Memorial's revenue with only 1.2 times the expenditures. Durango Hills' revenues were higher than those for Veterans Memorial by \$891,000. This is mainly due to more class registrations, more members, high user fees, and a focus on sports. Class fees were the largest source in both of the entities, with membership and passes being the second largest. Durango Hills' expenditures were higher than those of Veterans Memorial by \$327,000. Auditing staff determined that this is mainly due to servicing more customers, slightly more staff, longer operating hours, and more equipment. Salaries and wages were the major expenditures of both centers, representing approximately ½ of the total expenditures.

During the audit, staff noted that the deficits reimbursed by the City were approximately \$200,000 for utility expenses. Based on the analysis conducted on Durango Hills, it was found that Durango Hills could have alternately covered its deficit through additional fundraising or grants, as was done by other YMCA facilities. He noted that an independent contractor was engaged to perform a community and user survey. The results showed that more than 90% of the users were satisfied with the services provided at both locations. He concluded his report by indicating that JASON GRAY, representing Las Vegas Chamber of Commerce' Center for Polling and Research, was present to answer any questions.

CITY COUNCIL MEETING OF DECEMBER 17, 2003

Administrative

Item 60 – Discussion and possible action concerning the payment of utility costs associated with the operation of the Durango Hills Leisure Services Center operated by the YMCA (\$234,288) annually plus inflation – General Fund)

MINUTES - Continued:

COUNCILWOMAN McDONALD commented that the media has represented that the audit shows that one center is better operated than the other. However, in reviewing the audit, she found that both had almost comparable expenses. The primary difference was evident in the fee structures. MR. SNELDING agreed, stating that the difference is primarily in the approach. Durango Hills is operated by a non-profit organization and aggressively collects fees, and this has made a primary difference.

COUNCILWOMAN McDONALD opined that often times City staff has a one-size-fits-all mindset when it comes to operating recreational facilities, and it is often assumed that people are only willing to perhaps pay \$1 for a recreational service, when in fact they may be willing to pay more for that service. She thanked DR. BARBARA JACKSON, Director of Leisure Services, for her leadership through this process, especially given the negative media report.

COUNCILMAN MACK thanked MR. SNELDING for the report. He indicated that he views the private/public operation of the YMCA as a hybrid approach for operating future recreational centers. This is also an example of how partnerships can succeed, especially as the dollars are stretched more and more.

COUNCILMAN BROWN felt that had the audit report been conducted four years ago, the results would have been significantly different. The audit results tell the story of what a great job the Leisure Services Department is doing, not only with the accreditation, but also with adaptive programming. The report is positive both from the City's and the YMCA's perspective. Both centers are doing a fine job. Like COUNCILWOMAN McDONALD, he felt the fee structure for both centers to be very interesting and that perhaps the City is undercharging for recreational services. Both centers operate at a deficit, but that has been a reality of continued discussion among the Councilmembers, understanding that recreational programming is not profitable. The national recovery rate is approximately 35%. The City is going to have to continue to focus on programs that offer a balance.

COUNCILMAN BROWN mentioned the issue of lack of cooperation among the leisure service providers, between the City, Clark County, community schools, YMCA, Boys and Girls Club, etc. These agencies are all offering a wide range of leisure services, but there is a real lack of communication among them in inventory alone. Thus, they are misusing space because they are all competing against each other for the same dollar. They should be working together.

CITY COUNCIL MEETING OF DECEMBER 17, 2003

Administrative

Item 60 – Discussion and possible action concerning the payment of utility costs associated with the operation of the Durango Hills Leisure Services Center operated by the YMCA (\$234,288) annually plus inflation – General Fund)

MINUTES - Continued:

He stressed that leisure activities are the first to get cut in times of fiscal crisis. They always lose out to public safety positions. The only way to continue to protect the future of leisure programs is through collaboration between agencies and in getting more aggressive. The City should learn from what the YMCA has done at the Durango Hills Center instead of competing, because it can only strengthen the City's Leisure Services Department. Likewise, the City's Field Operations Department has done a lot of maintenance for Durango Hills, and this is important because, even though it is run by a non-profit organization, it is a City facility.

COUNCILMAN BROWN thanked MR. SNELDING for the report, which reaffirms the great job the City is doing in providing leisure programs. He also recognized MIKE BENJAMIN, Chairman of the YMCA, MIKE LUBBE, Executive Director of the YMCA, and SAM CALATTA, YMCA Development Director, who were in the audience.

NOTE: COUNCILWOMAN McDONALD directed staff to conduct a more in-depth analysis on fee pricing to obtain a better concept as to what the market will bear; to look into the prospect of philanthropic, non-profit status for Leisure Services in order to seek monies for funding recreational services, just as other cities around the country currently do; and to consider increased marketing of all the recreational services the City has to offer.

NOTE: COUNCILMAN BROWN agreed with COUNCILWOMAN McDONALD that staff should look into fee increases. Moreover, he directed that staff look into establishing membership fees; to assess the real condition of the program recovery rates, with the possibility of eliminating some of the programs to be able to increase efforts and funding for other more important programs; and to appraise the contracts between the City and community schools, because the School District is competing for leisure activities.

There was no further discussion.

(9:37 – 10:01)

1-922

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: ADMINISTRATIVE SERVICES**DIRECTOR: CHRISTOPHER KNIGHT** ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

ABEYANCE ITEM - Discussion and possible action authorizing staff to conduct negotiations with the Nevada Division of Lands regarding the transfer of Floyd Lamb State Park, located south of Moccasin Road and north of Grand Teton, to the City of Las Vegas - Ward 6 (Mack)

Fiscal Impact

<input checked="" type="checkbox"/>	No Impact	Amount:
<input type="checkbox"/>	Budget Funds Available	Dept./Division: Field Operations
<input type="checkbox"/>	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The Nevada Divisions of State Parks and State Lands have been directed by Governor Guinn and authorized by Nevada State Senate Bill 444 and Assembly Bill 287 to enter into negotiations with the City of Las Vegas regarding the transfer of Floyd Lamb State Park. Both bills contain very specific guidelines regarding the possible transfer of Floyd Lamb State Park to the City of Las Vegas, if the City desires such a transfer. The State is prepared to enter into negotiations with the City of Las Vegas regarding the potential transfer and future management of Floyd Lamb State Park, and hopes for a successful conclusion of such a transfer.

Council, at its regular meeting on November 5, 2003, directed staff to meet with the State Division of Lands to “open a dialogue, get some answers and report back in 30 days”. Staff met with the State Division of Lands and Parks on Thursday, November 20, 2003. A detailed report of that meeting will be presented during the Council meeting. The agenda memo dated December 3, 2003 includes a position statement by State Parks staff that was the focus of discussions and answers many of the Council’s questions.

RECOMMENDATION:

Staff will follow direction of City Council.

BACKUP DOCUMENTATION:

1. Agenda Memo dated December 17, 2003
2. Agenda Memo dated November 5, 2003

MOTION:

MACK – APPROVED to move forward with discussions to take over the park – motion carried with WEEKLY voting NO

CITY COUNCIL MEETING OF DECEMBER 17, 2003

Administrative Services

Item 61 – Discussion and possible action authorizing staff to conduct negotiations with the Nevada Division of Lands regarding the transfer of Floyd Lamb State Park, located south of Moccasin Road and north of Grand Teton, to the City of Las Vegas

MINUTES:

NOTE: A combined Verbatim Transcript of Items 61 and 62 is made a part of the Final Minutes under Item 61.

APPEARANCES:

OSCAR GOODMAN, Mayor

CHRIS KNIGHT, Director, Administrative Services

LARRY BROWN, Councilman

DAVE MORROW, Director, Nevada Division of State Parks

STEVE WEAVER, Chief of Planning and Development, Nevada Division of State Parks

MICHAEL MACK, Councilman

GARY REESE, Councilman

JANET MONCRIEF, Councilwoman

LAWRENCE WEEKLY, Councilman

GEORGE CHANOS, Attorney, 302 E. Carson Avenue, #400, representing Ed and Mona Sher

MARTIN MILLER

LYNETTE BOGGS McDONALD, Councilwoman

ED SHER

TODD FARLOW, 240 N. 19th Street

TOM McGOWAN, Las Vegas resident

TOM COLLINS, Assemblyman

NOTE: COUNCILMAN REESE directed that Finance and Business Services staff be involved in the negotiation process to ensure that funding is available for the acquisition of the park.

(10:01 – 10:59)

1-1814/2-1

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: ADMINISTRATIVE SERVICES**DIRECTOR: CHRISTOPHER KNIGHT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Presentation and possible action regarding an unsolicited third-party proposal to build and operate a zoo in the City of Las Vegas - Ward 6 (Mack)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** City Manager's Office☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

During the November 5, 2003 City Council meeting, discussion occurred regarding the City's future interest in acquiring the Floyd Lamb State Park property. During this discussion, reference was made to the possibility of a zoo to be located in the City of Las Vegas. This item was not on the agenda, thus no further discussion occurred. However, the Mayor and City Council expressed a desire to prepare an agenda item in a future City Council meeting to discuss a possible zoo.

RECOMMENDATION:**BACKUP DOCUMENTATION:**

None

MOTION:

MACK – APPROVED to move forward with discussions and potential negotiations for a zoo and authorizing staff to meet with the third party to draft a non-binding letter of intent – motion carried with WEEKLY voting NO

MINUTES:

NOTE: A combined Verbatim Transcript of Items 61 and 62 is made a part of the Final Minutes under Item 61.

APPEARANCES:

OSCAR GOODMAN, Mayor

CHRIS KNIGHT, Director, Administrative Services

LARRY BROWN, Councilman

DAVE MORROW, Director, Nevada Division of State Parks

STEVE WEAVER, Chief of Planning and Development, Nevada Division of State Parks

MICHAEL MACK, Councilman

CITY COUNCIL MEETING OF DECEMBER 17, 2003

Administrative Services

Item 62 – Presentation and possible action regarding an unsolicited third-party proposal to build and operate a zoo in the City of Las Vegas

MINUTES – Continued:

APPEARANCES:

GARY REESE, Councilman

JANET MONCRIEF, Councilwoman

LAWRENCE WEEKLY, Councilman

GEORGE CHANOS, Attorney, 302 E. Carson Avenue, #400, representing Ed and Mona Sher

MARTIN MILLER

LYNETTE BOGGS McDONALD, Councilwoman

ED SHER

TODD FARLOW, 240 N. 19th Street

TOM McGOWAN, Las Vegas resident

TOM COLLINS, Assemblyman

NOTE: COUNCILMAN REESE directed that Finance and Business Services staff be involved in the negotiation process to ensure that funding is available for the acquisition of the park.

(10:01 – 10:59)

1-1814/2-1

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY ATTORNEY**DIRECTOR:** BRADFORD R. JERBIC☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action to settle Sierra Health and Life Insurance Company, Inc., and Health Plan of Nevada v. City of Las Vegas, Eighth Judicial District Court Case No. A435863 (\$762,500 - General Liability Fund)

Fiscal Impact☐

No Impact

Amount: \$762,500☒

Budget Funds Available

Dept./Division: Finance☐

Augmentation Required

Funding Source: General Liability Fund**PURPOSE/BACKGROUND:**

Between 1996 and 2000 the City assessed, and Plaintiffs paid, a gross revenue tax in the principal amount of \$1,058,500. In 2001 the Plaintiffs brought suit against the City claiming that they had not been liable for the tax. Plaintiffs have offered to resolve their claim, that the principal amount and interest thereon be returned to them, for \$762,500.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

None

MOTION:**REESE – APPROVED as recommended – UNANIMOUS with MACK not voting****MINUTES:**

BRAD JERBIC, City Attorney, advised that this was the resolution of the long-standing dispute between the City and Sierra Health Services. The item was in order and he recommended approval.

(11:01)

2-718

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action on the City of Las Vegas Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2003

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

NRS 354.624 requires an annual audit of the City be conducted by an independent public accounting firm. It further requires the audit report and the CAFR be presented to the governing body with the recommendations and the summary of narrative comments. The audit was conducted by KPMG LLP. The City received an unqualified opinion with no material findings, improvements, or recommendations.

RECOMMENDATION:

Receive the audit report and provide guidance for any management actions.

BACKUP DOCUMENTATION:

Submitted after the meeting: copy of slides presented on overhead and Comprehensive Annual Financial Report

MOTION:

REESE – Motion to receive the Report and incorporate the direction that staff revisit budget policies, keep the Council advised as to the trends and the steps which may have to be taken in the next few years – UNANIMOUS

MINUTES:

MARK VINCENT, Director of Finance and Business Services Department, presented the 2003 Comprehensive Annual Financial Report (CAFR) required by Nevada Revised Statute 354. Pursuant to further requirements of the statutes, the report has been audited by the independent certified public accounting firm KPMG, LLP, using generally accepted governmental auditing standards. The letter from the firm includes comments regarding compliance with statutes, recommendations for improvement and other pertinent comments. The firm rendered an unqualified opinion with no material instances of non-compliance or internal control weaknesses.

CITY COUNCIL MEETING OF DECEMBER 17, 2003

Finance and Business Services

Item 64 - Discussion and possible action on the City of Las Vegas Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2003

MINUTES – Continued:

MR. VINCENT reviewed three slides demonstrating the City's net capital assets of \$2.7 billion, \$1.7 billion more than last year. The City is implementing Governmental Accounting Standard #34 which requires capitalizing infrastructure assets, such as roads and bridges. Roadways alone represent approximately \$1.9 billion. The combined fund balance is \$315 million, \$294 million unreserved and unrestricted. The \$294 million would include the \$189 million for capital projects, \$51 million from special revenue funds, \$15 million from General Fund and \$4 million for the Debt Service Fund.

Governmental revenues were \$538 million; \$120 million from charges for services, \$123 million from grants and \$295 million general revenues from property, consolidated and other taxes. Expenses totaled \$438 million with the largest component being \$214 million for public safety. In addition, Public Works represented \$63 million, general government \$76 million and culture/recreation \$39 million. Business revenues from sources such as Sewer/Sanitation Enterprise Fund, Parking Enterprise Fund, Golf Enterprise Fund, Video Production and other funds realized \$96 million in revenue and \$83 million in expenses.

MR. VINCENT pointed out that the City policy is to maintain a fund balance of not less than 12% of the General Fund revenues. He referenced the graph demonstrating the 2002 and 2003 fund balances side by side. The budgeting process tries to maintain a conservative balance slightly over that 12%. The difference between the budgeted balance and actual balance represents monies available for augmentation pursuant to statute. That includes one-time projects such as recreation facilities and fire stations. The distance between those two balances is narrower. Last year that difference was \$13.7 million and was reduced this year to approximately \$11 million. This is a trend that staff is watching.

MR. VINCENT concluded the slide presentation by demonstrating the changes in the percentage rate of growth of revenue versus expenses. In the 1990's there was a one percent difference between the growth of revenues versus expenses. That relationship has reversed due to the recession, 9-11 terrorist attack and the current economic impact of the war with Iraq. Revenue growth has dropped to approximately six percent. That revenue growth should increase over time, but the concern is the City dealing with the situation over time.

MR. VINCENT pointed out that each tab with the CAFR included pieces of Las Vegas history in honor of the Las Vegas Centennial. He thanked CANDY FALDER, JOE WILLIAMS, MARY McQUOID and the Treasury staff for their assistance in preparing the report. Copies of the report will be filed with the City Clerk, County Clerk and State Department of Taxation.

CITY COUNCIL MEETING OF DECEMBER 17, 2003

Finance and Business Services

Item 64 - Discussion and possible action on the City of Las Vegas Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2003

MINUTES – Continued:

MAYOR GOODMAN agreed with both the quality of the CAFR historical tabs and the concerns regarding the reversed relationship between revenue and expenses. He discussed with MR. VINCENT that the law prohibits expenditures from exceeding revenues. A temporary situation can be handled, but a long-term trend will cause a greater problem. The greatest area of growth in expenditures is with salaries and benefits, which is mostly beyond the City's control. Only so much can be done with revenues, which again are mostly controlled by the State. The City is looking at more creative efforts for cost-neutral services. This will be closely watched during the 2005 budget process.

TOM SNOW, KPMG, LLP., concurred with the points made by MR. VINCENT. He directed the Council's attention to the letter of transmittal which provides an overview of the City, its financial reporting process and the management's discussion and analysis appearing as a new segment of the report last year and this with comparative figures. These portions of the report provide valuable, quick insight into the City's financial position. The trends discussed by MR. VINCENT exist everywhere across the country. California is an example of what happens in a very short period of time when expenditures exceed revenue. The City is not there and fiscal management is very important in that regard.

The accountant's report reflects an unqualified opinion, revenue increases and dramatic changes to the revenue mix. The reduction in earnings were offset by grants and additional tax revenues. Investment earnings are integral to discretionary monies, making that decline something that must be monitored and reviewed periodically.

TODD FARLOW, 240 North 19th Street, confirmed with MR. VINCENT that the graph designates names as thousands rather than millions.

COUNCILMAN BROWN commended MR. VINCENT and his staff for all their work. The City budget process supports everything, and things are going to continue to be more challenging. He urged staff to revisit budget policies and keep the Council advised as to the trends and the steps which may have to be taken in the next few years.

MR. SNOW added that the City submits its report to the Government Finance Officers Association each year and has received recognition for each report for a number of years. Last year, despite an entirely new accounting system, the City once again received that same recognition. Finance staff members deserve to be commended for that.

CITY COUNCIL MEETING OF DECEMBER 17, 2003

Finance and Business Services

Item 64 - Discussion and possible action on the City of Las Vegas Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2003

MINUTES – Continued:

COUNCILMAN BROWN referred to Page 24 where one of the City's strategic initiatives is to reconcile escalating costs with revenue capacity. The policy decisions made four and five years ago put the City in a good position to make decisions for the next few years. Instituting an executive review of all open positions resulted in a \$56.5 million fund balance, 16.5% of expenditures. That represents the outstanding manner in which staff fulfills the commitments and policies set by the Council.

COUNCILMAN REESE concurred with the direction given by COUNCILMAN BROWN, stressing the importance for the Council to follow trends in order to make whatever decisions must be made in the years to come.

(11:01 – 11:20)

2-739

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding a new Beer/Wine/Cooler On-sale License subject to the provisions of the planning and fire codes and Health Dept. regulations, Tomasa Chavez, dba El Pollo Real Restaurant, 621 North Eastern Avenue, Tomasa Chavez, 100%, David Garcia, General Mgr [NOTE: Item to be heard in the afternoon session in conjunction with item #112 - SUP-3064] - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding a new Beer/Wine/Cooler On-sale License

RECOMMENDATION:

Recommendation to be provided following discussion of this item at the City Council meeting.

BACKUP DOCUMENTATION:

None

Submitted at City Council – Executive Summary Notes submitted by Detective Bill Shone, Las Vegas Metropolitan Police Department

MOTION:

WEEKLY – APPROVED with a six-month review – UNANIMOUS with REESE abstaining because the applicant's property is located next to the shopping center that houses his barbershop and it is possible that a reduction on the parking will have an impact on all parking in the shopping center. Further, he and his partner receive \$600 per year from the shopping center owner to act as on site property managers for the shopping center. Therefore, he did not believe that he could be objective in these matters.

MINUTES:

DAVID GARCIA, General Manager, El Pollo Real was present together with LUZ MARIA SANCHEZ, 95 Emerald Circle, owner of the property.

NOTE: See Item 111 [VAR-3065] for all related discussion.

(2:31 – 2:34)

3-3620

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding a new Grocery Store Internet Sale License, Albertson's Inc., dba Albertson's #6018, 7151 West Craig Road, Kaye L. O'Riordan, Secy, John F. Boyd, Treas [NOTE: Item to be heard following Item #88 - Bill #2003-106] - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding a new Grocery Store Internet Sale License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

MACK – APPROVED as recommended – UNANIMOUS

MINUTES:

JIM DiFIORE, Business Services, stated that he would recommend approval subject to verification of the publication of Bill No. 2002-106.

TABITHA FIDDYMENT, Law Clerk, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of Albertson's and concurred with the condition.

COUNCILWOMAN MONCRIEF questioned the percentage of alcohol to food for the order and the justification for that requirement. MS. FIDDYMENT responded that the order must include groceries, but no set percentage was contained within the bill.

AL GALLEGRO, citizen of Las Vegas, expressed concern with the checking of identification. COUNCILMAN WEEKLY stressed that the identification will have to be produced at the time of delivery.

(12:26 – 12:27)

3-608

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler Off-sale License subject to the provisions of the fire codes and Health Dept. regulations, From: Equilon Enterprises, LLC, dba Texaco Star Mart, Russell R. Caplan, VP, SOPC Holdings West, LLC (Shell Oil Company), Mmbr, 56%, Texaco Refining and Marketing, Inc., Mmbr, 43.6%, To: Terrible Herbst, Inc., dba Terrible's #266, 298 South Decatur Boulevard, Jerry E. Herbst, Pres, 100%, Maryanna A. Herbst, Secy, Treas, Edward J. Herbst, VP, Timothy P. Herbst, VP, Troy D. Herbst, VP, Michael J. Roop, VP - Ward 1 (Moncrief)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler Off-sale License

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes and Health Dept. regulations with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Virginia E. Daniel

MOTION:

MONCRIEF – APPROVED as recommended – UNANIMOUS

MINUTES:

JIM DiFIORE, Business Services, explained that the purchase agreement between Terrible Herbst and Equilon Enterprises, LLC, covers Items 67, 68, 69 and 70. The applicant met the requirements for temporary approval and staff recommended approval subject to the conditions.

JENNY DANIEL, Compliance Officer for those businesses operated by the Herbst family, was present.

NOTE: All discussion pertaining to Items 67, 68, 69 and 70 took place under Item 67.

(11:20 – 11:23)

2-1402

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler Off-sale License subject to the provisions of the fire codes and Health Dept. regulations, From: Equilon Enterprises, LLC, dba Texaco Star Mart, Russell R. Caplan, VP, SOPC Holdings West, LLC (Shell Oil Company), Mmbr, 56%, Texaco Refining and Marketing, Inc., Mmbr, 43.6%, To: Terrible Herbst, Inc., dba Terrible's #268, 9991 West Charleston Boulevard, Jerry E. Herbst, Pres, 100%, Maryanna A. Herbst, Secy, Treas, Edward J. Herbst, VP, Timothy P. Herbst, VP, Troy D. Herbst, VP, Michael J. Roop, VP - Ward 2 (L.B. McDonald)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler Off-sale License

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes and Health Dept. regulations with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Virginia E. Daniel

MOTION:

L.B. McDONALD – APPROVED as recommended – UNANIMOUS

MINUTES:

NOTE: All discussion pertaining to Items 67, 68, 69 and 70 took place under Item 67.

(11:20 – 11:23)

2-1402

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler Off-sale License subject to the provisions of the fire codes and Health Dept. regulations, From: Equilon Enterprises, LLC, dba Texaco Star Mart, Russell R. Caplan, VP, SOPC Holdings West, LLC (Shell Oil Company), Mmbr, 56%, Texaco Refining and Marketing, Inc., Mmbr, 43.6%, To: Terrible Herbst, Inc., dba Terrible's #263, 598 North Eastern Avenue, Jerry E. Herbst, Pres, 100%, Maryanna A. Herbst, Secy, Treas, Edward J. Herbst, VP, Timothy P. Herbst, VP, Troy D. Herbst, VP, Michael J. Roop, VP - Ward 3 (Reese)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler Off-sale License

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes and Health Dept. regulations with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Virginia E. Daniel

MOTION:**REESE – APPROVED as recommended – UNANIMOUS****MINUTES:**

NOTE: All discussion pertaining to Items 67, 68, 69 and 70 took place under Item 67.

(11:20 – 11:23)

2-1402

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler Off-sale License subject to the provisions of the fire codes and Health Dept. regulations, From: Equilon Enterprises, LLC, dba Texaco Star Mart, Russell R. Caplan, VP, SOPC Holdings West, LLC (Shell Oil Company), Mmbr, 56%, Texaco Refining and Marketing, Inc., Mmbr, 43.6%, To: Terrible Herbst, Inc., dba Terrible's #267, 1500 West Charleston Boulevard, Jerry E. Herbst, Pres, 100%, Maryanna A. Herbst, Secy, Treas, Edward J. Herbst, VP, Timothy P. Herbst, VP, Troy D. Herbst, VP, Michael J. Roop, VP - Ward 5 (Weekly)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler Off-sale License

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes and Health Dept. regulations with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Virginia E. Daniel

MOTION:

WEEKLY – APPROVED as recommended – UNANIMOUS

MINUTES:

NOTE: All discussion pertaining to Items 67, 68, 69 and 70 took place under Item 67.

(11:20 – 11:23)

2-1402

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding Temporary Approval of Change of Location, Business Name and Approval of Principal for a Tavern License subject to the provisions of the planning and fire codes and Health Dept. regulations, From: Artisan Cafe, LLC, dba Thunderbird Hotel Lounge, 1215 Las Vegas Boulevard, South, Audrey N. Da Silva, Mgr, Mmbr, 100%, To: Artisan Cafe, LLC, dba Artisan Cafe, 1501 West Sahara Avenue, Audrey N. Da Silva, Mgr, Mmbr, 100%, Douglas B. Da Silva, Principal - Ward 1 (Moncrief)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Discussion and possible action regarding Temporary Approval of Change of Location, Business Name and Approval of Principal for a Tavern License

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes and Health Dept. regulations with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Ninette Da Silva
3. Map

MOTION:**MONCRIEF – APPROVED as recommended – UNANIMOUS**

NOTE: COUNCILWOMAN McDONALD disclosed for this item and Items 73 through 76 that she is an outside director for Station Casino, who holds privileged licenses for alcohol and gaming, as do the applicants. She has not discussed the applications with the company, her affiliation will not impact her judgment, she reviewed her disclosure with the City Attorney to verify that the items will have no material impact on the company and she would be voting on the applications. COUNCILMAN MACK disclosed that the property uses a parking lot for Treasures, a client of Mack Consulting, which lies within the notification radius. The request does not impact his client, who has not approached him regarding the application, and he would be participating in the vote.

CITY COUNCIL MEETING OF DECEMBER 17, 2003

Finance and Business Services

Item 71 - Discussion and possible action regarding Temporary Approval of Change of Location, Business Name and Approval of Principal for a Tavern License subject to the provisions of the planning and fire codes and Health Dept. regulations, From: Artisan Cafe, LLC, dba Thunderbird Hotel Lounge, 1215 Las Vegas Boulevard, South, Audrey N. Da Silva, Mgr, Mmbr, 100%, To: Artisan Cafe, LLC, dba Artisan Cafe, 1501 West Sahara Avenue, Audrey N. Da Silva, Mgr, Mmbr, 100%, Douglas B. Da Silva, Principal - Ward 1 (Moncrief)

MINUTES:

JIM DiFIORE, Business Services, indicated that the applicant met the requirements for temporary approval and staff recommended approval subject to the conditions.

ATTORNEY NEIL BELLER, 7408 West Sahara Avenue, appeared on behalf of the applicant.

(11:24 – 11:25)

2-1551

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding Temporary Approval of a Franchise Manager for a Beer/Wine/Cooler Off-sale License subject to the provisions of the fire codes and Health Dept. regulations, 7-Eleven of Nevada, Inc., dba 7-Eleven Food Store #20379D, 2416 Stewart Avenue, Shaista Yusof, Franchise Mgr - Ward 3 (Reese)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of a Franchise Manager for a Beer/Wine/Cooler Off-sale License

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes and Health Dept. regulations with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Shaista Yusof

MOTION:

REESE – APPROVED as recommended – UNANIMOUS

MINUTES:

JIM DiFIORE, Business Services, indicated that the applicant met the requirements for temporary approval and staff recommended approval subject to the conditions.

SHAISTA YUSOF, 2416 Stewart Avenue, was present.

(11:25 – 11:26)

2-1608

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - Discussion and possible action regarding a Six Month Review of a Restricted Gaming License for 5 slots, Cardivan Company, db at Texaco Star Mart, 1500 West Charleston Boulevard, Mixed Nuts Hospitality Group, LLC, Participant in Gaming Revenue, William R. Phillips, Mmbr, Mgr, 100% - Ward 5 (Weekly)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Discussion and possible action regarding a Six Month Review of a Restricted Gaming License for 5 slots

RECOMMENDATION:

Recommendation to be provided following discussion of this item at the City Council meeting

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

MONCRIEF – APPROVED subject to a six-month review (6/16/2004) – UNANIMOUS

NOTE: COUNCILWOMAN McDONALD disclosed for Item 71 and Items 73 through 76 that she is an outside director for Station Casino, who holds privileged licenses for alcohol and gaming, as do the applicants. She has not discussed the applications with the company; her affiliation will not impact her judgment; she reviewed her disclosure with the City Attorney to verify that the items will have no material impact on the company, and she would be voting on the applications. MAYOR GOODMAN confirmed with CITY ATTORNEY JERBIC that his one-third interest in an out-patient medical facility, previously known as the Veterans Clinic now owned by UNR Medical School out-patient, on Charleston Boulevard near Shadow Lane, would be within the area, but would not represent a material impact or create a conflict of interest, and disclosure of the interest was appropriate.

MINUTES:

JIM DiFIORE, Business Services, advised that the information provided pertains to Items 73, 74, 75 and 76. The City Council approved one-year temporary licenses subject to a six-month review of the gaming licenses for these locations. There is a change of ownership pending which was approved by the Council under Items 67 through 70.

CITY COUNCIL MEETING OF DECEMBER 17, 2003

Finance and Business Services

Item 73 - ABEYANCE ITEM - Discussion and possible action regarding a Six Month Review of a Restricted Gaming License for 5 slots, Cardivan Company, db at Texaco Star Mart, 1500 West Charleston Boulevard, Mixed Nuts Hospitality Group, LLC, Participant in Gaming Revenue, William R. Phillips, Mmbr, Mgr, 100% - Ward 5 (Weekly)

MINUTES:

ATTORNEY SONIA VERMEYS, Schreck, Brignone, 300 South Fourth Street #1200, appeared on behalf of the applicant. She advised that there is currently litigation between Mixed Nuts Hospitality Group and the owner of the convenience stores, Equilon Enterprises. At last week's court hearing a restraining order was issued to maintain the status quo pending a more detailed evidentiary hearing in January to determine the rights of the parties.

MR. DiFIORE stated that he had been advised that there was a verbal commitment to settle the situation out of court. It is too early to tell if there will be an impact in the future and he would recommend going forward. COUNCILMAN WEEKLY noted that he would move forward, but impose a six-month review given the change in ownership and the sensitive area where the business is located.

NOTE: All discussion pertaining to Items 73, 74, 75 and 76 took place under Item 73.

(11:26 – 11:32)

2-1643

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - Discussion and possible action regarding a Six Month Review of a Restricted Gaming License for 4 slots, Cardivan Company, db at Texaco Star Mart, 598 North Eastern Avenue, Mixed Nuts Hospitality Group, LLC, Participant in Gaming Revenue, William R. Phillips, Mmbr, Mgr, 100% - Ward 3 (Reese)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding a Six Month Review of a Restricted Gaming License for 4 slots

RECOMMENDATION:

Recommendation to be provided following discussion of this item at the City Council meeting

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

REESE – APPROVED subject to a six-month review (6/16/2004) – UNANIMOUS

NOTE: COUNCILWOMAN McDONALD disclosed for Item 71 and Items 73 through 76 that she is an outside director for Station Casino, who holds privileged licenses for alcohol and gaming, as do the applicants. She has not discussed the applications with the company; her affiliation will not impact her judgment; she reviewed her disclosure with the City Attorney to verify that the items will have no material impact on the company, and she would be voting on the applications.

NOTE: MAYOR GOODMAN disclosed that he has a one-third interest in an outpatient medical facility located in the vicinity of Charleston Boulevard and Shadow Lane. The facility was previously known as the Veterans Clinic and is now owned by UNR Medical School outpatient. He then confirmed with CITY ATTORNEY JERBIC that this would not represent a material impact or create a conflict of interest and that disclosure of the interest was appropriate.

MINUTES:

NOTE: All discussion pertaining to Items 73, 74, 75 and 76 took place under Item 73.

(11:26 – 11:32)

2-1643

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - Discussion and possible action regarding a Six Month Review of a Restricted Gaming License for 4 slots, Cardivan Company, db at Texaco Star Mart, 298 South Decatur Boulevard, Mixed Nuts Hospitality Group, LLC, Participant in Gaming Revenue, William R. Phillips, Mmbr, Mgr, 100% - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding a Six Month Review of a Restricted Gaming License for 4 slots

RECOMMENDATION:

Recommendation to be provided following discussion of this item at the City Council meeting

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

MONCRIEF – APPROVED subject to a six-month review (6/16/2004) – UNANIMOUS

NOTE: COUNCILWOMAN McDONALD disclosed for Item 71 and Items 73 through 76 that she is an outside director for Station Casino, who holds privileged licenses for alcohol and gaming, as do the applicants. She has not discussed the applications with the company; her affiliation will not impact her judgment; she reviewed her disclosure with the City Attorney to verify that the items will have no material impact on the company, and she would be voting on the applications.

NOTE: MAYOR GOODMAN disclosed that he has a one-third interest in an outpatient medical facility located in the vicinity of Charleston Boulevard and Shadow Lane. The facility was previously known as the Veterans Clinic and is now owned by UNR Medical School outpatient. He then confirmed with CITY ATTORNEY JERBIC that this would not represent a material impact or create a conflict of interest and that disclosure of the interest was appropriate.

MINUTES:

NOTE: All discussion pertaining to Items 73, 74, 75 and 76 took place under Item 73.

(11:26 – 11:32)

2-1643

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - Discussion and possible action regarding a Six Month Review of a Restricted Gaming License for 7 slots, E-T-T, Inc., db at Texaco Star Mart, 9991 West Charleston Boulevard, Mixed Nuts Hospitality Group, LLC, Participant in Gaming Revenue, William R. Phillips, Mmbr, Mgr, 100% - Ward 2 (L.B. McDonald)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Discussion and possible action regarding a Six Month Review of a Restricted Gaming License for 7 slots

RECOMMENDATION:

Recommendation to be provided following discussion of this item at the City Council meeting

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

L.B. McDONALD – APPROVED subject to a six-month review (6/16/2004) – UNANIMOUS

NOTE: COUNCILWOMAN McDONALD disclosed for Item 71 and Items 73 through 76 that she is an outside director for Station Casino, who holds privileged licenses for alcohol and gaming, as do the applicants. She has not discussed the applications with the company; her affiliation will not impact her judgment; she reviewed her disclosure with the City Attorney to verify that the items will have no material impact on the company, and she would be voting on the applications.

NOTE: MAYOR GOODMAN disclosed that he has a one-third interest in an outpatient medical facility located in the vicinity of Charleston Boulevard and Shadow Lane. The facility was previously known as the Veterans Clinic and is now owned by UNR Medical School outpatient. He then confirmed with CITY ATTORNEY JERBIC that this would not represent a material impact or create a conflict of interest and that disclosure of the interest was appropriate.

MINUTES:

NOTE: All discussion pertaining to Items 73, 74, 75 and 76 took place under Item 73.

(11:26 – 11:32)

2-1643

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding Temporary Approval of a new Massage Establishment License subject to the provisions of the planning and fire codes and Health Dept. regulations, The Center for Holistic Rehabilitation, LLC, dba The Center for Holistic Rehabilitation, LLC, 7380 West Sahara Avenue, Suite 140, Sally Ann St. John, Mgr, Mmbr, 100% - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of a new Massage Establishment License

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes and Health Dept. regulations with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Sally St. John
3. Map

MOTION:

MONCRIEF – APPROVED as recommended – UNANIMOUS

MINUTES:

JIM DiFIORE, Business Services, indicated that the massage portion of the business would be ancillary to the primary counseling services. The applicant met the criteria and staff recommended approval.

SALLY ANN ST. JOHN, 7380 West Sahara Avenue, was present.

(11:32 – 11:33)

2-1872

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: BUSINESS DEVELOPMENT**DIRECTOR: IAIN VASEY (ACTING)**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

RESOLUTIONS:

R-182-2003 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency in connection with the Ownership Participation Agreement (OPA) between the City of Las Vegas RDA and Pepes' Tacos to be in compliance with and in furtherance of the goals and objectives of the RDA - Ward 3 (Reese) [NOTE: This item is related to Redevelopment Agency Item #3 (RA-6-2003) and to Redevelopment Agency Item #4]

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

This is a companion item to discussion and possible action regarding assisting Pepes' Tacos with the cost of resurfacing the existing parking lot at 2490 Fremont Street. Approval will adopt findings that the OPA is in compliance with furtherance of the goals and objectives of the RDA, and the Redevelopment Plan.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

1. Site Map
2. Disclosure of Principals
3. Resolution No. R-182-2003
4. Ownership Participation Agreement
5. Affidavit of Jose Ceja

MOTION:

REESE – APPROVED as recommended – **UNANIMOUS** with **MACK** abstaining because the parking lot is immediately adjacent to the parking lot of a SuperPawn, owned by his brother, **STEVEN MACK**, for whom he is a consultant, and as the improvement in such proximity to his brother's property could benefit his brother, he would abstain on the item and on related Redevelopment Agency Items 3 and 4

MINUTES:

There was no discussion.

(11:33)
2-1917

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

BOARDS & COMMISSIONS:

ABEYANCE ITEM - CHILD CARE LICENSING BOARD – New Ward 5 Coterminous Appointment, Term Expiration 6-2007; New Ward 6 Coterminous Appointment, Term Expiration 6-2005; Dianne Farkas, Term Expiration 6-2007 (Resigned)

Fiscal Impact

<input checked="" type="checkbox"/>	No Impact	Amount:
<input type="checkbox"/>	Budget Funds Available	Dept./Division:
<input type="checkbox"/>	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

With the passage of Ordinance 5635, the seven members of the Child Care Licensing Board are now equal to the number of those serving on the City Council, and each member of Council appoints one member subject to ratification by the Council. Terms will run concurrently with the term of the appointing City Council member, all members of this board must be City residents, and unexpired terms must be filled. Additionally, one member of the seven must be a current licensed operator of a facility in the city and a second member may be a current licensed operator or former licensed operator. The other five citizen members are not required to fill a specific category. With the expansion of this board, it is now necessary to fill the Ward 5 (Councilman Weekly) and Ward 6 (Councilman Mack) seats. Also, Dianne Farkas, Mayor Goodman's appointment, has resigned and it will be necessary to fill this unexpired term. At the Council Meeting of December 3, 2003, this item was abeyed to December 17, 2003.

RECOMMENDATION:

Councilman Weekly shall recommend his Ward 5 coterminous appointee, Councilman Mack shall recommend his Ward 6 coterminous appointee, and Mayor Goodman shall recommend his new coterminous appointee, who must fill the unexpired term. Recommendations must be ratified by the City Council, must be city residents, and as one licensed operator currently serves on this board, only one current or former licensed operator may be recommended to fill one of these three seats.

BACKUP DOCUMENTATION:

1. Resignation letter from Dianne Farkas
2. Current Listing and Authority – Child Care Licensing Board
3. Board Interest Form – June (Zandra) Gunderson and Terry D. Clodt

CITY COUNCIL MEETING OF DECEMBER 17, 2003

Board and Commissions

Item 79 – Child Care Licensing Board

MOTION:

REESE – Motion to APPOINT TERRY CLODT (Reese’s recommendation on behalf of the Mayor to replace DIANNE FARKAS), 6936 Rosinwood Street, Las Vegas, Nevada 89131, REAPPOINT JUNE (ZANDRA) GUNDERSON (Mack’s recommendation), and Hold in ABEYANCE WEEKLY’S Ward 5 recommendation to 1/7/2004 – UNANIMOUS with GOODMAN abstaining because his wife is the President of the Meadows School, which operates a pre-school that will be impacted by the licensing provisions

MINUTES:

JIM DiFIORE, Business Services, explained that COUNCILMAN WEEKLY’S proposed appointment previously operated a child care facility under her former name. In order to make the appointment, there must be a change to the code, which allows two members from the child care industry, to be expanded to allow for three members from that industry.

MAYOR GOODMAN mentioned that MR. CLODT appears to be a wonderful recommendation, but was reminded by COUNCILMAN REESE that he had abstained on similar appointments in the past. COUNCILWOMAN McDONALD mentioned that MR. CLODT is a fine man and urged his appointment.

There was no further discussion.

(11:34 – 11:38)

2-1961

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY CLERK**DIRECTOR:** BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

BOARDS & COMMISSIONS:

Discussion and possible action to appoint an alternate member of the City Council to serve on the Southern Nevada Regional Planning Coalition

Fiscal Impact

<input checked="" type="checkbox"/>	No Impact	Amount:
<input type="checkbox"/>	Budget Funds Available	Dept./Division:
<input type="checkbox"/>	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Mayor Goodman and Councilman Weekly currently serve on the Southern Nevada Regional Planning Coalition. To insure representation at all meetings, it is appropriate to again appoint an alternate member. An alternate member was appointed in 1999 but the practice was not continued in subsequent years.

RECOMMENDATION:

Procedure for filling the alternate position on this board is appointment by Mayor Goodman of a member of the City Council with Council ratification.

BACKUP DOCUMENTATION:

Current Listing and Authority - Southern Nevada Regional Planning Coalition

MOTION:

GOODMAN – Motion to appoint COUNCILWOMAN MONCRIEF as the alternate member - UNANIMOUS

MINUTES:

There was no discussion.

(11:38)
2-2131

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY CLERK**DIRECTOR:** BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****BOARDS & COMMISSIONS:**

TRAFFIC & PARKING COMMISSION – Lewis Brandon, Term Expiration 10-18-2004
(Resigned)

Fiscal Impact

<input checked="" type="checkbox"/>	No Impact	Amount:
<input type="checkbox"/>	Budget Funds Available	Dept./Division:
<input type="checkbox"/>	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Ordinance #5258 enacted October 4, 2000 increased the public membership on this commission to seven. The members are appointed by the Mayor and confirmed by the City Council such that one member shall reside in and represent each of the six Wards and one member representing the City as a whole. Mr. Brandon, a representative of Ward 6, has resigned. This seat requires Councilman Mack's recommendation. There is no requirement to fill unexpired portions of terms and no limits to the number of terms which may be served.

RECOMMENDATION:

Procedure for this Board requires appointment by the Mayor with confirmation by the City Council. The new appointee for Mr. Brandon's seat is Councilman Mack's recommendation and must be a resident of Ward 6.

BACKUP DOCUMENTATION:

Current Listing & Authority - Traffic & Parking Commission

MOTION:

MACK – ABEYANCE to 1/7/2004 - UNANIMOUS

MINUTES:

COUNCILMAN MACK commented that MR. BRANDON moved out of the City and he would require more time to replace his expertise on the Commission.

There was no further discussion.

(11:38)
2-2151

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY CLERK**DIRECTOR: BARBARA JO (RONI) RONEMUS** ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****BOARDS & COMMISSIONS:**

COMMUNITY DEVELOPMENT RECOMMENDING BOARD (CDRB) – Monica Caruso,
Term Expiration 5-5-2004 (Resigned)

Fiscal Impact

<input checked="" type="checkbox"/>	No Impact	Amount:
<input type="checkbox"/>	Budget Funds Available	Dept./Division:
<input type="checkbox"/>	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

This Board reviews all Community Development Block Grant and other funding sources and makes recommendations to the City Council on the applicants eligible to receive these funds. Terms are for six months and members may serve up to six consecutive terms. Unexpired portions of terms must be filled. Ms. Caruso is a Housing and Development representative on this Board.

RECOMMENDATION:

Procedure is appointment by City Council. Appointee must represent Housing and Development.

BACKUP DOCUMENTATION:

1. Letter of Resignation – Monica Caruso
2. Current Listing and Authority - Community Development Recommending Board
3. Board Interest Forms – Suzanne Hackett-Morgan and Heather Olsen

MOTION:**GOODMAN – ABEYANCE to 1/7/2004 - UNANIMOUS****MINUTES:**

COUNCILMAN MACK thanked MS. CARUSO who was a great asset that will be sorely missed. There was discussion as to the prerequisite for the appointment, which the proposed appointee DEBBIE KINSORA may not meet.

There was no further discussion.

(11:39)
2-2175

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2003-99 – Annexation No. ANX-3087 – Property location: North of Centennial Parkway, east of Puli Road, south of Grand Teton Drive and west of Hualapai Way; Petitioned by: Land Title of Nevada, et al.; Acreage: 28.63 acres; Zoned: R-U (County zoning), U (PCD) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located north of Centennial Parkway, east of Puli Road, south of Grand Teton Drive and west of Hualapai Way. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (December 12, 2003) is set by this ordinance.

RECOMMENDATION:

ADOPTION at 12/17/2003 City Council meeting pursuant to the 12/1/2003 Recommending Committee.

First Reading – 11/19/2003; First Publication – 12/5/2003

BACKUP DOCUMENTATION:

Bill No. 2003-99 and a Location Map

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5651 – UNANIMOUS

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(11:40 – 11:41)

2-2238

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2003-100 – Amends the Redevelopment Plan for the Downtown Las Vegas Redevelopment Area to consolidate and update the Plan's land use designations, and to extend the duration of the Plan as permitted by State law. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill formalizes the City Council's recent approval of an amendment to the Redevelopment Plan to consolidate and update the Plan's land use designations, and to extend the duration of the Plan for an additional five years as permitted by State law.

RECOMMENDATION:

ADOPTION at 12/17/2003 City Council meeting pursuant to the 12/1/2003 Recommending Committee.

First Reading – 11/19/2003; First Publication – 12/5/2003

BACKUP DOCUMENTATION:

Bill No. 2003-100

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5652 – UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that although both the Lady Luck Casino, with whom his brother-in-law ANDREW DONNER has a contract, and SuperPawn, owned by his brother STEVEN MACK, for whom he consults, are located within the Redevelopment area, the changes will not affect the allowable uses, and as he has not spoken with either man about the bill, he will be able to vote on the item.

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(11:41 – 11:42)

2-2264

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2003-101 – Allows bailbond services in the C-1 Zoning District by means of special use permit. Sponsored by: Councilman Lawrence Weekly

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Currently, bailbond services are permitted by means of special use permit in the C-2, C-M and M Zoning Districts, but not in the C-1 District. It has been suggested that this use has no greater potential for impact on surrounding areas than other office and service commercial uses typically allowed in the C-1 District. This bill is intended, then, to allow the use in the C-1 District by means of special use permit.

RECOMMENDATION:

ADOPTION at 12/17/2003 City Council meeting pursuant to the 12/1/2003 Recommending Committee.

First Reading – 11/19/2003; First Publication – 12/5/2003

BACKUP DOCUMENTATION:

Bill No. 2003-101

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5653 – UNANIMOUS

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(11:42)

2-2310

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2003-102 – Appropriates a percentage of the annual capital improvements budget for securing, installing and maintaining works of art at City capital improvement projects. Sponsored by: Mayor Oscar B. Goodman

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill establishes a Percent for the Arts program (Program) which requires the City Council to appropriate a minimum of one percent of the City's annual capital improvements budget to the Municipal Arts Fund for the purpose of providing works of art at capital improvement projects. This proposed Program is modeled after similar existing programs in the cities of Reno, Nevada; Seattle, Washington; Phoenix, Arizona; San Francisco, California; and, Chicago, Illinois. Expenditures of funds appropriated for the Program may only be made in compliance with the Municipal Arts Plan approved by the City Council. Passage of this bill could generate approximately \$150,000 annually for public art based on estimated annual capital project funding from the general fund or from bonds proceeds that will be repaid from general fund revenues.

RECOMMENDATION:

ADOPTION at 12/17/2003 City Council meeting pursuant to the 12/1/2003 Recommending Committee.

First Reading – 11/19/2003; First Publication – 12/5/2003

BACKUP DOCUMENTATION:

Bill No. 2003-102

Submitted after the meeting: hard copy of PowerPoint presentation

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5654 – UNANIMOUS with BROWN and MACK voting No

Clerk to proceed with second publication

CITY COUNCIL MEETING OF DECEMBER 17, 2003

City Attorney

Item 86 – Bill No. 2003-102

MINUTES:

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

APPEARANCES:

OSCAR GOODMAN, Mayor

LAWRENCE WEEKLY, Councilman

GARY REESE, Councilman

BRAD JERBIC, City Attorney

LARRY BROWN, Councilman

BETSY FRETWELL, Deputy City Manager,

MICHAEL MACK, Councilman

NANCY DEANER, Manager of Cultural Affairs Division, Leisure Services Department

JANET MONCRIEF, Councilwoman

LYNETTE BOGGS McDONALD, Councilwoman

LISA STAMANOS, Visual Arts Specialist, Leisure Services Department

DALE ERQUIAGA, Chairman of the Las Vegas Arts Commission

TOM McGOWAN, Las Vegas resident

STEVEN LAGORI, 818 Park Paseo

VICKY RICHARDSON, Left of Center Gallery

DENISE SHAPIRO, Gallery Services Coordinator, Library District

DIANE BUSH, Clark County Cultural Supervisor

(11:42 – 12:23)

2-2329

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2003-104 – Allows trucking companies in the C-2 Zoning District by means of special use permit. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Moving companies and other trucking companies currently are allowed to conduct operations only within the C-M and M Zoning Districts. It is believed that this limitation is too restrictive and that these operations, if limited in scope, can be permitted appropriately in the C-2 Zoning District by means of special use permit. This bill will accomplish the change and establish minimum standards for approval that will limit on-site activities as well as the number of trucks and trailers that can be parked or stored on-site.

RECOMMENDATION:

ADOPTION at 12/17/2003 City Council meeting pursuant to the 12/1/2003 Recommending Committee.

First Reading – 11/19/2003; First Publication – 12/5/2003

BACKUP DOCUMENTATION:

Bill No. 2003-104

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as a First Amendment as Ordinance No. 5655 – UNANIMOUS

Clerk to proceed with second publication

MINUTES:

ROBERT GENZER, Director of Planning and Development Department, offered a first amendment in order to identify where the trucks could be located on the site. An additional requirement under Section 2, inserted between current requirements 2 and 3, would read parking of trucks and trailers shall be restricted to locations to the rear of onsite structures so as to not be visible from adjoining streets. The new condition 3 could be waived under the special use permit.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
City Attorney
Item 87 – Bill No. 2002-104

MINUTES – Continued:

There was no further discussion.

(12:23 – 12:24)

3-504

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2003-106 – Permits internet purchases of alcoholic beverages from grocery stores in conjunction with purchases of groceries for delivery to the premises of the purchaser. Sponsored by: Councilman Larry Brown

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

This bill will permit a person to request delivery of alcoholic beverages along with groceries through an internet purchase order placed with a grocery store. Only the person placing the internet purchase order may receive delivery of the alcoholic beverages, provided that he or she is of legal age. Grocery stores must have a grocery store internet sale license, which is established by this bill, before they can make sales and deliveries of alcoholic beverages pursuant to internet purchase orders. Grocery store internet sale licenses may only be issued to grocery stores in conjunction with package alcoholic beverage licenses.

RECOMMENDATION:

ADOPTION at 12/17/2003 City Council meeting pursuant to the 12/15/2003 Recommending Committee.

First Reading – 12/3/2003; First Publication – 12/6/2003

BACKUP DOCUMENTATION:

Bill No. 2003-106

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5656 – UNANIMOUS

Clerk to proceed with second publication

MINUTES:

COUNCILMAN MACK indicated that his only concern regarding delivery to someone under age had been addressed by the requirement that the person receiving the alcohol must show identification matching the internet order.

CITY COUNCIL MEETING OF DECEMBER 17, 2003

City Attorney

Item 88 – Bill No. 2003-106

MINUTES – Continued:

TOM McGOWAN, local resident, pointed out that issue with the distance restrictions from churches, schools, parks and catering licenses.

COUNCILMAN WEEKLY stressed that the resolution of many of the areas of concern had been placed on the record at the Recommending Committee meeting.

There was no further discussion.

(12:24 – 12:26)

3-547

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2003-103 – Prohibits the use of residential streets for the test-driving of vehicles offered for sale or lease by a vehicle dealership. Sponsored by: Councilwoman Janet Moncrief and Mayor Oscar B. Goodman

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

In some areas of the City, customers and employees of vehicle dealerships use nearby residential streets for the test-driving of vehicles that are being offered for sale or lease. This bill will generally prohibit that practice and, in addition to traditional enforcement tools, will provide that violations by dealership personnel may result in license disciplinary action.

RECOMMENDATION:

ABEYANCE to 1/5/2004 Recommending Committee meeting pursuant to the 12/1/2003 Recommending Committee.

First Reading – 11/19/2003; First Publication – N/A

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

1/5/2004 Recommending Committee

1/7/2004 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2003-105 – Annexation No. ANX-3026 – Property location: On the north of Moccasin Road, west of Buffalo Drive, and east of Spin Ranch Road; Petitioned by: City of Las Vegas; Approximate acreage: 7,683 acres; Zoned: R-U (County zoning), U (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located north of Moccasin Road, west of Buffalo Drive, and east of Spin Ranch Road. The annexation is at the request of the City, with a statement of non-objection having been filed by the Bureau of Land Management as owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (January 14, 2004) is set by this ordinance.

RECOMMENDATION:

ADOPTION at 1/7/2004 City Council meeting pursuant to the 12/15/2003 Recommending Committee.

First Reading – 12/3/2003; First Publication – 12/26/2003

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

1/7/2004 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

NEW BILL:

Bill No. 2003-107 – Annexation No. A-0017-02 (A) – Property location: On the southeast corner of Rainbow Boulevard and Atwood Avenue; Petitioned by: Dr. Carol Barlow; Acreage: 1.18 acres; Zoned: C-P (County zoning), O (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property generally located on the southeast corner of Rainbow Boulevard and Atwood Avenue. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (January 30, 2004) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2003-107 and Location Map

MOTION:**None required.****MINUTES:**

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

1/5/2004 Recommending Committee

1/7/2004 Council Agenda

(12:29 – 12:30)

3-690

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

NEW BILL:

Bill No. 2003-108 – Annexation No. ANX-3103 – Property location: On the southwest corner of Coke Street and Horse Drive; Petitioned by: Coke Maggie LLC; Acreage: 5.94 acres; Zoned: R-E (County zoning), U (RNP) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property generally located on the southwest corner of Coke Street and Horse Drive. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (January 30, 2004) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2003-108 and Location Map

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

1/5/2004 Recommending Committee

1/7/2004 Council Agenda

(12:29 – 12:30)

3-690

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

NEW BILL:

Bill No. 2003-109 – Requires mobile food vendors to attach a City issued identification number to their vending vehicle, and conditions their operations within one thousand feet of a licensed concession stand located in a City park. Proposed by: Mark Vincent, Director of Finance and Business Services

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

This bill will prohibit a mobile food vendor from operating within one thousand feet of a licensed concession stand located in a City park when the concession stand is open for business. Additionally, this bill prohibits the transfer of a mobile food vendor license, and requires that the identification number assigned by the City to a mobile food vendor vehicle be displayed in such a manner on the rear, upper left corner area of the vehicle that it can be easily read from a distance of ten feet.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2003-109

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

1/5/2004 Recommending Committee

1/7/2004 Council Agenda

(12:29 – 12:30)

3-690

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

NEW BILL:

Bill No. 2003-110 – Imposes a new requirement for the display of ice cream truck business licenses, prohibits the transfer of such licenses, repeals the requirement that ice cream trucks be inspected annually by the City, and conditions their operations within one thousand feet of a licensed concession stand located in a City park. Proposed by: Mark Vincent, Director of Finance and Business Services

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Currently, an ice cream truck (vehicle) must be inspected annually by the City in addition to meeting Health District certification requirements. This bill repeals the City's annual inspection requirement. This bill prohibits a vehicle's operation within one thousand feet of a licensed concession stand in a City park when the concession stand is open for business, its operation at the same location more than once a day, and its operation for longer than thirty minutes at any one location. The vehicle's City identification number must be readable from ten feet.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2003-110

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

1/5/2004 Recommending Committee

1/7/2004 Council Agenda

(12:29 – 12:30)

3-690

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2003-111 – Allows mixed-use developments by means of special use permit throughout the Neighborhood Revitalization Area established by the Las Vegas 2020 Master Plan. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The City's zoning regulations currently allow mixed-use developments by means of special use permit within the Downtown Redevelopment Area. This bill will expand the number of potential locations for this type of development, providing that the use may be allowed by means of special use permit throughout the larger Neighborhood Revitalization Area, as established by the Las Vegas 2020 Master Plan.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2003-111

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

1/5/2004 Recommending Committee

1/7/2004 Council Agenda

(12:29 – 12:30)

3-690

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2003-112 – Establishes the circumstances under which the use “temporary real estate sales office” may be permitted as a conditional use in various commercial and industrial districts. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Temporary real estate sales offices currently are permitted to be located within and in connection with traditional subdivision developments, but there is no provision for the use in commercial and industrial districts. This bill establishes the parameters for the use in those districts.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2003-112

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

1/5/2004 Recommending Committee

1/7/2004 Council Agenda

(12:29 – 12:30)

3-690

THE MORNING SESSION RECESSED AT 12:30 P.M., RECONVENED AT 12:47 P.M. TO MAKE A MOTION TO GO INTO CLOSED SESSION, AND RECESSED AGAIN AT 12:48 P.M.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

CLOSED SESSION - To Be Held at Conclusion of Morning Session

Upon a duly carried Motion, a closed meeting is called in accordance with NRS 241.030 to discuss the City Manager's "character, alleged misconduct, professional competence, or physical or mental health"

Fiscal Impact

<input checked="" type="checkbox"/>	No Impact	Amount:
<input type="checkbox"/>	Budget Funds Available	Dept./Division:
<input type="checkbox"/>	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The Open Meeting law permits the City Council to conduct closed sessions for discussion regarding the City Manager's "character, alleged misconduct, professional competence, or physical or mental health". If the Council makes any decisions, they may act only on the public agenda item, which would follow the closed portion of the meeting if agendaed. The closed session has been designed to provide a private atmosphere more conducive to a full and frank discussion with Council members regarding any of the items stated above.

RECOMMENDATION:

BACKUP DOCUMENTATION:

Notice letter and Proof of Service

MOTION:

REESE – APPROVED to go into Closed Session in accordance with NRS 241.030 – UNANIMOUS

MINUTES:

There was no discussion.

(12:47 – 12:48)
3-1349

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

Any items from the afternoon session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

MOTION:

REESE – Motion to ACCEPT THE WITHDRAWAL WITHOUT PREJUDICE of Item 121 [SUP-2760], Item 126 [SUP-3153], Item 133 [ZON-2918], and Item 134 [VAC-2920], and HOLD IN ABEYANCE Item 108 [SNC-3092], and Item 125 [SUP-3152] to 1/7/2004; Item 142 [GPA-2966], Item 143 [ZON-2967], Item 144 [SUP-3223], and Item 145 [SDR-3224] to 1/21/2004 – UNANIMOUS with GOODMAN abstaining on Items 121, 125 and 126 because members of his law firm are in negotiations with billboard companies, which could affect him as a result

NOTE: There was a motion by WEEKLY to recall Item 98 [ZON-3051] and Item 99 [SDR-3052], which carried unanimously. There had been a request for abeyance, although a vote was never taken on the motion for abeyance.

NOTE: COUNCILMAN REESE disclosed that he would be abstaining from voting on Item 98 [ZON-3051] and Item 99 [SDR-3052] as he has a close friendship with the Ewing family.

MINUTES:

COUNCILMAN MACK indicated that Item 133 [ZON-2918] was requested to be withdrawn without prejudice by the applicant. He also requested that Item 108 [SNC-3092] be held in abeyance to 1/7/2004, as he was not able to meet with MS. BARTSAS. ROBERT GENZER, Director, Planning and Development Department, verified with COUNCILMAN MACK that Item 134 [VAC-2920] related to Item 133 would also be withdrawn without prejudice.

COUNCILMAN WEEKLY asked the reason for the abeyance request for Item 98 [ZON-3051] and Item 99 [SDR-3052]. His understanding was that they would be heard today at 1:30 p.m. Time Certain. Many residents took time to appear on this item. RICHARD GALLEGOS, 10 Commerce Center Drive, verified that he requested the abeyance. COUNCILMAN WEEKLY commented that he would either move forward with these items or remove them, as he did not want to inconvenience the neighborhood again. He was disappointed that the neighbors were not notified of the applicant's intention. MR. GALLEGOS commented that discussion was held with some of the other leasing tenants, MS. TURNER, and several Council members and the neighbors, and that this would be the last abeyance request. COUNCILMAN WEEKLY rebutted that MR. GALLEGOS represents the applicant, not the tenants.

CITY COUNCIL MEETING OF DECEMBER 17, 2003

City Clerk

Item 97 – Any items from the afternoon session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

MINUTES – Continued:

MR. GALLEGOS explained that many of the residents do not object to the use, but are concerned about the zoning. The applicant feels that he could work with staff and members of the Council to see if a deed restriction or another alternative might be acceptable to the neighbors to make this project feasible.

CLEVE ABRAHAM appeared on behalf of the neighborhood directly adjacent from the property in question. There have been other postponements and he strongly opposed the abeyance request. MR. ABRAHAM asked that either MR. EWING withdraw his request or that it be denied. A neighborhood meeting was held on December 6, 2003 and everyone who attended objected to the rezoning. Therefore, there is no need for another meeting.

COUNCILMAN WEEKLY asked MR. GALLEGOS to contact his client, as he would be moving forward with both items.

There was no further discussion.

(2:10 – 2:20)

4-1

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING AND DEVELOPMENT
DIRECTOR: ROBERT S. GENZER

PLANNING & DEVELOPMENT DEPARTMENT PM SESSION INDEX:

CONSENT AGENDA

NO ITEMS

DISCUSSION/ACTION ITEMS

NOT TO BE HEARD BEFORE 1:30 P.M.

- 98** REZONING - PUBLIC HEARING
ABEYANCE ITEM - ZON-3051 - Ewing Brothers, Inc.
- 99** SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3051 - PUBLIC HEARING
ABEYANCE ITEM - SDR-3052 - Ewing Brothers, Inc.
- 100** REVIEW OF CONDITION - PUBLIC HEARING
ROC-3164 - Jet Development on behalf of Robert Feldman
- 101** WAIVER OF THE TOWN CENTER DEVELOPMENT STANDARDS - PUBLIC HEARING
WVR-3222 - Southwest Homes
- 102** MAJOR MODIFICATION TO THE IRON MOUNTAIN RANCH MASTER PLAN - PUBLIC HEARING
MOD-3069 - Signature Homes on behalf of Plaster Development Company
- 103** SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-3069 - PUBLIC HEARING
SDR-3072 - Signature Homes on behalf of Plaster Development Company
- 104** MAJOR MODIFICATION TO THE LONE MOUNTAIN WEST MASTER PLAN - PUBLIC HEARING
MOD-3206 - International Church of Las Vegas on behalf of The E & G Brown Survivors Trust

City of Las Vegas

PLANNING & DEVELOPMENT - Page Two

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City Council Meeting of December 17, 2003

- REZONING RELATED TO MOD-3206 - PUBLIC HEARING
- 105 **ZON-3209** - International Church of Las Vegas on behalf of The E & G Brown Survivors Trust
- SPECIAL USE PERMIT RELATED TO MOD-3206 AND ZON-3209 - PUBLIC HEARING
- 106 **SUP-3304** - International Church of Las Vegas on behalf of The E & G Brown Survivors Trust
- MASTER SIGN PLAN - PUBLIC HEARING
- 107 **ABEYANCE ITEM - MSP-2881** - Jones Media Inc. on behalf of Santa Fe Station, Inc.
- STREET NAME CHANGE - PUBLIC HEARING
- 108 **ABEYANCE ITEM - SNC-3092** - City of Las Vegas
- VACATION - PUBLIC HEARING
- 109 **VAC-3195** - Pardee Homes of Nevada
- 110 **VAC-3203** - Cliff Shadows Properties, Limited Liability Company on behalf of The Dexter Trust
- VARIANCE - PUBLIC HEARING
- 111 **ABEYANCE ITEM - VAR-3065** - Tomasa Chavez on behalf of Best Group, Inc.
- SPECIAL USE PERMIT RELATED TO VAR-3065 - PUBLIC HEARING
- 112 **ABEYANCE ITEM - SUP-3064** - Tomasa Chavez on behalf of Best Group, Inc.
- VARIANCE - PUBLIC HEARING
- 113 **VAR-3202** - LaPour Partners on behalf of Nevada Baking Company, Inc.
- SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3202 - PUBLIC HEARING
- 114 **SDR-3199** - LaPour Partners on behalf of Nevada Baking Company, Inc.
- VARIANCE - PUBLIC HEARING
- 115 **VAR-3204** - Moonrock, Limited Liability Company
- SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3204 - PUBLIC HEARING
- 116 **SDR-3205** - Moonrock, Limited Liability Company

City of Las Vegas

PLANNING & DEVELOPMENT - Page Three

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City Council Meeting of December 17, 2003

- VARIANCE - PUBLIC HEARING
- 117 **VAR-3214** - Canyon Ridge Christian Church
- REVIEW OF CONDITION RELATED TO VAR-3214 - PUBLIC HEARING
- 118 **ROC-3216** - Canyon Ridge Christian Church
- SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3214 AND ROC-3216 - PUBLIC HEARING
- 119 **SDR-3213** - Canyon Ridge Christian Church
- SPECIAL USE PERMIT - PUBLIC HEARING
- 120 **ABEYANCE ITEM - SUP-2759** - Reagan National Advertising on behalf of William P. Miguel, et al
- 121 **ABEYANCE ITEM - SUP-2760** - Reagan National Advertising on behalf of William P. Miguel, et al
- 122 **SUP-2859** - Desert Dodge on behalf of Douglas Kays
- 123 **SUP-3128** - Nora Armenian on behalf of The Koutnouyan Living Trust
- 124 **SUP-3140** - Clear Channel Outdoor
- 125 **SUP-3152** - Reagan National Advertising on behalf of Noriko Takada Oba Qualified Trust
- 126 **SUP-3153** - Reagan National Advertising on behalf of Iglesias Aner Trust 1997, et al
- 127 **SUP-3181** - Jhonna Diller
- SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-3181 - PUBLIC HEARING
- 128 **SDR-3180** - Jhonna Diller
- SPECIAL USE PERMIT - PUBLIC HEARING
- 129 **SUP-3186** - Hart and Watters on behalf of Z & C Management, Inc.
- 130 **SUP-3190** - Paula McFarland on behalf of Jack Dessaints
- 131 **SUP-3210** - Vertical Holdings Company on behalf of 36 Acre, Limited Liability Company
- SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-3210 - PUBLIC HEARING
- 132 **SDR-3208** - Vertical Holdings Company on behalf of 36 Acre, Limited Liability Company

City of Las Vegas

PLANNING & DEVELOPMENT - Page Four

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City Council Meeting of December 17, 2003

- REZONING - PUBLIC HEARING
133 **ABEYANCE ITEM - ZON-2918** - Treasure Land Development, Limited Liability Company
- VACATION RELATED TO ZON-2918 - PUBLIC HEARING
134 **ABEYANCE ITEM - VAC-2920** - Treasure Land Development, Limited Liability Company
- REZONING - PUBLIC HEARING
135 **ABEYANCE ITEM - ZON-3067** - Bell Real Estate, Limited Liability Company
- SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3067 - PUBLIC HEARING
136 **ABEYANCE ITEM - SDR-3070** - Bell Real Estate, Limited Liability Company
- REZONING - PUBLIC HEARING
137 **ABEYANCE ITEM - ZON-3080** - Carina Corporation, et al
- SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3080 - PUBLIC HEARING
138 **ABEYANCE ITEM - SDR-3082** - Carina Corporation, et al
- REZONING - PUBLIC HEARING
139 **ZON-3182** - Olympus Group on behalf of O'Bannon-Jones, Limited Liability Company
- VARIANCE RELATED TO ZON-3182 - PUBLIC HEARING
140 **VAR-3184** - Olympus Group on behalf of O'Bannon-Jones, Limited Liability Company
- SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3182 AND VAR-3184 - PUBLIC HEARING
141 **SDR-3183** - Olympus Group on behalf of O'Bannon-Jones, Limited Liability Company
- GENERAL PLAN AMENDMENT - PUBLIC HEARING
142 **GPA-2966** - Hector and Maritza Camacho
- REZONING RELATED TO GPA-2966 - PUBLIC HEARING
143 **ZON-2967** - Hector and Maritza Camacho
- SPECIAL USE PERMIT RELATED TO GPA-2966 AND ZON-2967 - PUBLIC HEARING
144 **SUP-3223** - Hector and Maritza Camacho

- SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-2966 AND ZON-2967 - PUBLIC HEARING
- 145 **SDR-3224** - Hector and Maritza Camacho
- GENERAL PLAN AMENDMENT - PUBLIC HEARING
- 146 **ABEYANCE ITEM - GPA-3066** - D.R. Horton, Inc. on behalf of Robert J. Wueste Family, Limited Partnership
- REZONING RELATED TO GPA-3066 - PUBLIC HEARING
- 147 **ABEYANCE ITEM - ZON-3071** - D.R. Horton, Inc. on behalf of Robert J. Wueste Family, Limited Partnership
- SPECIAL USE PERMIT RELATED TO GPA-3066 AND ZON-3071 - PUBLIC HEARING
- 148 **ABEYANCE ITEM - SUP-3073** - D.R. Horton, Inc. on behalf of Robert J. Wueste Family, Limited Partnership
- SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3066, ZON-3071 AND SUP-3073 - PUBLIC HEARING
- 149 **ABEYANCE ITEM - SDR-3079** - D.R. Horton, Inc. on behalf of Robert J. Wueste Family, Limited Partnership
- NOT TO BE HEARD BEFORE 4:00 P.M.***
- GENERAL PLAN AMENDMENT - PUBLIC HEARING
- 150 **GPA-2993** - Molasky Companies on behalf of William L. Cullings and The Schneider Family Trust
- REZONING RELATED TO GPA-2993 - PUBLIC HEARING
- 151 **ZON-3176** - PH SSA, Limited Liability Company on behalf of William L. Cullings and The Schneider Family Trust
- VACATION RELATED TO GPA-2993 AND ZON-3176 - PUBLIC HEARING
- 152 **VAC-3178** - PH SSA, Limited Liability Company on behalf of William L. Cullings
- SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-2993, ZON-3176 AND VAC-3178 - PUBLIC HEARING
- 153 **SDR-3177** - PH SSA, Limited Liability Company on behalf of William L. Cullings and The Schneider Family Trust

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NOT TO BE HEARD BEFORE 1:30 P.M. - **ABEYANCE ITEM** - **RENOTIFICATION** -
REZONING - PUBLIC HEARING - ZON-3051 - EWING BROTHERS, INC. - Request
for a Rezoning FROM: C-2 (GENERAL COMMERCIAL) TO: C-M (COMMERCIAL
INDUSTRIAL) on 14.35 acres adjacent to the north side of Owens Avenue and east side of "D"
Street (APN: 139-22-404-001, 003 and 004), Ward 5 (Weekly). The Planning Commission (5-0-
1 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

13
0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4
0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) recommends DENIAL. Staff recommends APPROVAL,
subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – 11/25/2003 & 12/16/2003 letters from Ewing Brothers for
Item 98 and Item 99 filed under Item 98
5. Submitted at City Council – Support petition with 51 signatures submitted by the applicant
for Item 98 and 99 filed under Item 98

MOTION:

**WEEKLY – DENIED – UNANIMOUS with REESE abstaining because he has a close
friendship with the Ewing family and felt he could not be objective on both Items 98 and 99**

NOTE: There was a motion by WEEKLY to recall Item 98 [ZON-3051] and Item 99 [SDR-
3052], which carried unanimously, the initial motion for abeyance, although a vote was never
taken on the motion for abeyance.

NOTE: Under Item 97 COUNCILMAN REESE disclosed that he would be abstaining from
voting on Item 98 [ZON-3051] and Item 99 [SDR-3052] as he has a close friendship with the
Ewing family.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 98 – ZON-3051

MINUTES:

COUNCILMAN BROWN declared the Public Hearing open for Item 98 [ZON-3051] and Item 99 [SDR-3052].

COUNCILMAN WEEKLY asked the reason for the abeyance request for 98 [ZON-3051] and Item 99 [SDR-3052]. His understanding was that they would be heard today at 1:30 p.m. Time Certain. Many residents took time to appear on this item. RICHARD GALLEGOS, 10 Commerce Center Drive, verified that he requested the abeyance. COUNCILMAN WEEKLY commented that he would either move forward with these items or remove them, as he did not want to inconvenience the neighborhood again. He was disappointed that the neighbors were not notified of the applicant's intention. MR. GALLEGOS commented that discussion was held with some of the other leasing tenants, MS. TURNER, and several Council members and the neighbors, and that this would be the last abeyance request. COUNCILMAN WEEKLY rebutted that MR. GALLEGOS represents the applicant, not the tenants.

MR. GALLEGOS explained that many of the residents do not object to the use, but are concerned about the zoning. The applicant feels that he could work with staff and members of the Council to see if a deed restriction or another alternative might be acceptable to the neighbors to make this project feasible.

CLEVE ABRAHAM appeared on behalf of the neighborhood directly adjacent from the property in question. There have been other postponements, and he strongly opposed the abeyance request. MR. ABRAHAM asked that either MR. EWING withdraw his request or that it be denied. A neighborhood meeting was held on December 6, 2003 and everyone who attended objected to the rezoning. Therefore, there is no need for another meeting.

COUNCILMAN WEEKLY trailed the items and asked MR. GALLEGOS to contact his client, as he would be moving forward with both items.

When discussion resumed, MR. GALLEGOS requested that both items be withdrawn without prejudice.

A.J. THOMPSON, representative for the rental car business located on this property, pointed out they were not prepared to make a complete presentation. A letter was submitted requesting an abeyance so that they could meet with other Council members.

BEATRICE TURNER, West Las Vegas, stated that during a discussion with MR. BARLOW she was told that a letter requesting an abeyance was received, but she told him that the request should have been to table the item. COUNCILMAN WEEKLY was confused as to who the applicant was because of the different requests from different people. MR. THOMPSON replied

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 98 – ZON-3051

MINUTES – Continued:

that he was the applicant, as well as Ewing Brothers Towing. MR. GALLEGOS explained that he represents the Ewings, the property owners. He indicated that BUD SUTTEN, an advisor to the Ewings, related to him that MR. THOMPSON and MS. TURNER had been in discussions with several Council members about holding the item. COUNCILMAN WEEKLY pointed out that both items were held at the last City Council meeting to give the applicant the opportunity to meet with the residents. However, the residents still are unaware of what is happening with the application. MR. GALLEGOS apologized for the miscommunications. Another integral part to the application is MR. THOMPSON'S business. At the last neighborhood meeting it was suggested that he speak with staff or the Council regarding the application.

MAYOR GOODMAN commented that the applicant is Ewing Brothers and its representative should be speaking on their behalf. COUNCILMAN WEEKLY requested that the item move forward.

MR. GALLEGOS explained that the Ewing Brothers have been in business for over 55 years and have been at their current location since 1965. In 1998 they realized that their facility was reaching its maximum capacity and needed to look for additional land. They looked south of their existing location on A Street and wanted to be closer to traffic and near a major arterial. The property is by I-15 to the east and Owens Avenue to the south. They also wanted a site that was large enough to accommodate their needs for the next 20 years. They acquired the site because of the land use and its location. The request conforms to allowing the use of the towing and impound yard. Currently, the land is zoned C-2, which allows the towing facility, but not the storage. If the Council approves the zoning, the applicant would accept a deed restriction limiting the use to solely the Ewings' and the use would protect the neighbors. The neighbors' concern is not the business, but what the zone change could bring into the neighborhood. MR. GALLEGOS clarified for MAYOR GOODMAN that the proposed use would be an expansion of the existing business and a towing and impound yard. Administrative offices would be in the existing building, and customer parking would be located along Owens Avenue. The storage yard would also be located on the site. Not all stored cars are damaged because some are towed after being impounded due to a DUI or speeding. The cars cannot be seen from the street from Owens Avenue because the elevation is lower. Further, along D Street, there is an existing landscape buffer and a partial concrete wall, which the applicant proposes to extend and raise to eight-feet. No vehicles would be stored above the eight-foot level.

MR. GALLEGOS added that staff recommends approval of the site plan review. However, he asked for clarification of Condition 4 regarding the barbed wire. Nevada Highway Patrol code requires that they provide four strands of barbed wire placed five inches on center for security around the perimeter of the property where the vehicles are stored. He understands the aesthetic requirements, and the applicant proposes to maintain that below the block wall height so that it

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 98 – ZON-3051

MINUTES – Continued:

will not be visible from the street. Regarding Condition 10, MR. GALLEGOS explained that normally cars are removed within 14 days. However, there are occasions where a car involved in an accident or as part of a crime scene cannot be removed until the investigation has been completed. He therefore, asked to work with staff on language to address that issue.

TODD FARLOW, 250 North 19th Street, supported the application and stated that this business provides employment for the community. The applicant will agree to all requirements.

BILL McCURDY, 1117 Hart Avenue, is employed with the Housing Authority. He mentioned that supporters of the application threatened him. The West Las Vegas community is entitled to the same consideration given other areas of the Valley. The tow yard does not need to be moved to this particular location because it is not good for the redevelopment of West Las Vegas. He strongly opposed the application and asked the City Council to deny the application.

BRANDON OAKES stated that his rental car business is based on whether the applications are approved. His business provides service to those people who have been in accidents. He is trying to bring a business that will work inside the tow yard. He gives back to the community by providing an annual scholarship for the Berkley Square, Sunrise Manor and Cadillac Arms residents.

TOM McGOWAN, Las Vegas resident, questioned the volume and frequency of the trucks going into this location and its effect on the residents of the immediate area. He asked the Council to deny the application.

CLEAVE AVERY, Las Vegas resident, stated that this business would be an eyesore to the surrounding residential neighborhood. A junkyard will not improve a neighborhood. No laws are in effect about the amount of time a junk car can be stored at a junkyard. He stated that Rampart Boulevard is as accessible as any other boulevard in town. Owens Avenue is less accessible than any other major arterial. The towing business should have never been approved. The community will continue to fight this application.

BEATRICE TURNER, West Las Vegas, stated that originally she was against the towing business, but now believes that this business could provide jobs for the community. She indicated that the Ewings are willing to work with the residents and install a decorative brick fence. She further stated that she never threatened anyone.

VIRGINIA HODGES, 1654 E Street, has resided at Berkley Square since 1965, has invested a lot of money into her property and opposed the towing business adjacent to her home. No one would want this type of business in his or her own neighborhood. She urged the City Council to deny the application.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 98 – ZON-3051

MINUTES – Continued:

EARTHIE BURTON, 517 Freeman Avenue, appeared in opposition. He was concerned about the safety of children that attend a local elementary school and for high schools students that wait for the school bus. A towing business will not employ that many people. The applicant should redevelop the property into a viable shopping center that provides services for area residents.

JOSEPH ALSTON, JR., 1665 North G Street, grew up in this neighborhood and he does not support the application because of the noise, especially early in the morning. Truck traffic is not needed, especially if they will be using D Street. Children would be placed at risk. MR. ALSTON commented that his neighborhood was the first Black housing track in Las Vegas and it has an historical value to its residents.

ELTESSIE BUTLER, 517 Wyatt Avenue, does not support the application because of trucks that might be using D Street endangering children walking to school. She expressed concern about the barbed wire and the potential of children climbing the fence.

RUTH DHNODT, 500 Freeman Avenue, opined that the proposed business is not appropriate for this neighborhood. Residents do not want this area to become industrial and asked the City Council to deny the application.

MR. GALLEGOS responded that conditions imposed by staff would address those concerns expressed by the residents. Further, there will no access on D Street. Cadillac Arms residents would be the most impacted with respect to noise, and no opposition was received from them. A wall, landscaping and the auto rental operation will buffer the neighbors across the street. They would agree to limit operation in that area to minimize any impact. This operation will be fairly quiet because the vehicles are not operable and the forklifts function with propane or gas, which has minimal noise. The property is located on a major arterial buffered by I-15 in the center of the Valley. He pointed out that if the property was to be developed at C-2 none of these mitigations measures, such as protecting the children on D Street, could be imposed. The proposed business can be controlled, unlike a shopping center, which would have a tremendous amount of traffic throughout the neighborhoods. MR. GALLEGOS submitted for the record a support petition.

COUNCILMAN WEEKLY apologized to the applicant and the residents for the miscommunications. There is a perception that this particular neighborhood lacks in respect. However, people have raised and continue to raise families in this neighborhood. They are proud of their neighborhood. COUNCILMAN WEEKLY pointed out that he does not have a problem with the commercial use, insurance office or the rental car portion. However, he believes that a towing and impound business is not appropriate in any residential neighborhood.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 98 – ZON-3051

MINUTES – Continued:

MAYOR GOODMAN recommended that MR. GELLEGOS bring back a different less intrusive use for this site.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed for Item 98 [ZON-3051] and Item 99 [SDR-3052].

NOTE: All discussion for Item 98 [ZON-3051] and Item 99 [SDR-3052] was held under Item 98 [ZON-3051].

(2:10 – 2:20/3:54 – 4:38)

4-1/5-554

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

NOT TO BE HEARD BEFORE 1:30 P.M. - ABEYANCE ITEM - RENOTIFICATION - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3051 - PUBLIC HEARING - SDR-3052 - EWING BROTHERS, INC. - Request for a Site Development Plan Review FOR A PROPOSED TOWING & IMPOUND YARD on 14.35 acres adjacent to the north side of Owens Avenue and east side of "D" Street (APN: 139-22-404-001, 003 and 004), C-2 (General Commercial) Zone [Proposed: C-M (Commercial Industrial)], Ward 5 (Weekly). The Planning Commission (5-0-1 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

13
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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0-1 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – 11/25/2003 & 12/16/2003 letters from Ewing Brothers for Item 98 [ZON-3051] and Item 99 [SDR-3052] filed under Item 98 [SDR-3052]

MOTION:

WEEKLY – DENIED – UNANIMOUS with REESE abstaining because he has a close friendship with the Ewing family and felt he could not be objective on both Items 98 and 99

MINUTES:

NOTE: See Item 98 [ZON-3051] for all related discussion.

(2:10 – 2:20/3:54 – 4:38)

4-1/5-554

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

REVIEW OF CONDITION - PUBLIC HEARING - **ROC-3164 - JET DEVELOPMENT ON BEHALF OF ROBERT FELDMAN** - Request for a Review of Condition No. 8 of an approved Site Development Plan Review (SDR-1166) WHICH LIMITED PARKING LOT LIGHTS TO 20 FEET IN HEIGHT AND SPECIFIED "SHOE BOX" LIGHTING BE MOUNTED ON THE EXTERIOR WALLS OF THE BUILDING on 0.85 acres on the south side of Charleston Boulevard approximately 550 feet west of Torrey Pines Drive (APN: 163-02-114-010), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 1 (Moncrief). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

JOHN TUCKER, 3409 Wayward Court, appeared on behalf of the owner.

No one appeared in opposition.

There was no discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:20 – 2:34)

4-424

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 100 – ROC-3164

CONDITIONS:

Planning and Development

1. Replace Condition No. 8 of Site Development Plan Review (SDR-1166) with the following:

“Parking lot lighting standards shall be no more than 30 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties”.
2. Compliance with all other Conditions of Approval of the Site Development Plan Review (SDR-1166).

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

WAIVER OF THE TOWN CENTER DEVELOPMENT STANDARDS - PUBLIC HEARING
 - **WVR-3222 - SOUTHWEST HOMES** - Request for a Waiver of the Town Center Development Standards TO ALLOW A 40 FOOT STREET RIGHT-OF-WAY WIDTH WHERE 80 FEET OF RIGHT-OF-WAY IS REQUIRED for Solar Avenue located between Campbell Road and Dapple Gray Road (APN: 125-17-401-004), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council – Letter signed by Jeff Roberts and Carol Bailey

MOTION:

MACK – APPROVED subject to condition and modifying Condition 1 as follows:

1. *Solar Avenue shall be constructed to a total width of 46 feet, to include a five-foot wide sidewalk on the north side, a four-foot sidewalk on the south side, L-curb and gutter on both sides of the street and an “elbow” corner at the intersection of Solar Avenue and Dapple Gray Road. A Waiver of applicable Town Center Standards for public streets is hereby approved, allowing the construction of a public street to non-Town Center residential collector standards and allowing a 17-foot northern offset to the proposed centerline of Solar Avenue if needed; however, streetlights shall be provided to Town Center Standards on the north side of the street. Appropriate public street dedication and/or easement rights to the full 46-foot width shall be provided prior to approval of any construction drawings for the abutting sites. The applicant shall be responsible for the full width of all construction required on Solar Avenue concurrent with development of the site.*

– UNANIMOUS

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 101 – WVR-3222

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY JENNIFER LAZOVICH, Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and presented a drawing depicting the location of the development. She indicated that to the north of Solar Avenue is a future school site. Therefore, the request of the waiver is to discuss the actual width of Solar Avenue. Since the site does not have access on Solar Avenue, they wanted to work with the school district to see if something could be worked out with the access on all four sides of their school site, which would be Solar Avenue, Campbell Road, Severence Lane and Dapple Gray Road. This will give the school district better circulation.

ATTORNEY LAZOVICH submitted for the record a letter signed by JEFF ROBERTS from Southwest Homes and CAROL BAILEY from the school district. By way of this letter an agreement with the school district was reached to do a 46-foot wide street section, which would be 37 feet of paving, a five-foot sidewalk on the north side, and a four-foot wide sidewalk on the south side, adjacent to the proposed development. In addition, the developer, Centennial Park II, is agreeing to put in the street for the school district to help with the costs.

TOM McGOWAN stated that the applicant has been cooperative with the school district and he supports this project.

COUNCILMAN MACK indicated that this project will work well in this particular area, and asked ATTORNEY LAZOVICH to keep in mind the access around all four sides of the elementary school. He asked BART ANDERSON, Public Works Department, to read into the record the revision to Condition 1.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:22 – 2:27)

4-424

CONDITION:

Public Works

1. Solar Avenue shall be constructed to a total width of 60 feet to include a 5-foot wide sidewalk, curb, and gutter on both sides of the street, and a standard knuckle at the intersection of Solar Avenue and Dapple Gray Road. A Waiver of applicable Town

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 101 – WVR-3222

CONDITION – Continued:

Center Standards for public streets is hereby approved allowing the construction of a public street to non-Town Center residential collector standards, and allowing a 10 foot northern offset to the proposed centerline of Solar Avenue if needed, however, streetlights shall be provided to Town Center Standards. Appropriate public street dedication and/or easement rights for the full 60 foot width shall be provided prior to approval of any construction drawings for the abutting sites; if the full 60 foot width cannot be provided, a minimum of 30 feet shall be dedicated south of the centerline of Solar Avenue. The applicant shall be responsible for the construction of required half-street improvements, including appropriate overpaving, concurrent with development of the site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

MAJOR MODIFICATION TO THE IRON MOUNTAIN RANCH MASTER PLAN - PUBLIC HEARING - **MOD-3069** - **SIGNATURE HOMES ON BEHALF OF PLASTER DEVELOPMENT COMPANY** - Request for a Major Modification to the Iron Mountain Ranch Master Plan (Planned Area 16 and Section 2.3.2) TO ALLOW 14,000 SQUARE FOOT MINIMUM LOT SIZES WHERE 20,000 SQUARE FOOT IS THE MINIMUM ALLOWED on 9.8 acres adjacent to the southwest corner of Horse Drive and Thom Boulevard (APN: 125-12-701-005), R-E (Residence Estates) under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre), Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Clark County School District letter for the record requesting the developer contact CCSD prior to issuance of an approved tentative map for Items 102 & 103 filed under Item 102

MOTION:

MACK – ABEYANCE to 1/7/2004 – UNANIMOUS with MONCRIEF not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 102 [MOD-3069] and Item 103 [SDR-3072].

BOBBY LEWIS appeared on behalf of the applicant and requested an abeyance to resolve some technical issues. COUNCILMAN MACK granted the request.

MAYOR GOODMAN announced that he would be out of town at the Conference of Mayors on 1/21/2004.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 102 – MOD-3069

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed for Item 102 [MOD-3069] and Item 103 [SDR-3072].

NOTE: All discussion for Item 102 [MOD-3069] and Item 103 [SDR-3072] was held under Item 102 [MOD-3069].

(2:27 – 2:29)

4-597

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-3069 - PUBLIC HEARING - **SDR-3072 - SIGNATURE HOMES ON BEHALF OF PLASTER DEVELOPMENT COMPANY** - Request for a Site Development Plan Review FOR A PROPOSED 18 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 9.8 acres adjacent to the southwest corner of Horse Drive and Thom Boulevard (APN: 125-12-701-005), R-E (Residence Estates) under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre), Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Clark County School District letter for the record requesting the developer contact CCSD prior to issuance of an approved tentative map for Items 102 & 103 filed under Item 102

MOTION:

MACK – ABEYANCE to 1/7/2004 – UNANIMOUS with MONCRIEF not voting

MINUTES:

NOTE: See Item 102 [MOD-3069] for all related discussion.

(2:31 – 2:34)

3-3620

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

MAJOR MODIFICATION TO THE LONE MOUNTAIN WEST MASTER PLAN - PUBLIC HEARING - **MOD-3206 - INTERNATIONAL CHURCH OF LAS VEGAS ON BEHALF OF THE E. & G. BROWN SURVIVORS TRUST** - Request for a Major Modification of the Lone Mountain West Master Plan TO ADD APPROXIMATELY 5 ACRES TO THE OVERALL PLAN AREA AND CREATE TWO NEW SECTIONS: 2.4.1 PERMISSIBLE USES – COMMERCIAL (EXISTING TEXT TO REMAIN THE SAME) AND 2.4.2 PERMISSIBLE USES – RESIDENTIAL, TO ALLOW CHURCHES WITHIN ALL RESIDENTIAL LAND USE DESIGNATIONS WITH APPROVAL OF A SPECIAL USE PERMIT on the south side of Cliff Shadows Parkway, approximately 375 feet west of the 215 Beltway (APN: 137-12-401-011), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation], Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 104 [MOD-3206], Item 105 [ZON-3209] and Item 106 [SUP-3304].

RON PORTARO, 6108 Iron Kettle, International Church of Las Vegas, explained that the church first started in the Burlington Coat Factory center 10 years ago. In 1995 they obtained 15 acres from the Bureau of Land Management (BLM) and built an 80,000 square foot facility. MR. PORTARO outlined the different types of outreach services for the entire community.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 104 – MOD-3206

MINUTES – Continued:

They feed the homeless and provide shelter for unwed expectant mothers. Some of the International Church of Las Vegas was placed on Ogden Street and one in an ancillary facility at the Moulin Rouge. PASTOR PAUL GOULET'S vision is for outreach and it involves looking at areas where the need for the ministry can be improved. A parcel was identified on the corner of the 215 Beltway and Cliff Shadows Parkway for a worship center to accommodate approximately 400 people, a pre-school and establish a 24-hour prayer center.

BRIAN PSIODA, VTN Nevada, 2727 South Rainbow, thanked staff for their recommendation and concurred with all conditions. He stated that the site plan was submitted for the use permit and shall be reworked and resubmitted as a site development plan review and will provide the church's vision.

FRANK WEINMAN, 2947 Pineverse, did not support the church because it is adjacent to his parcel of land making it difficult for him to develop his parcel with gaming or liquor facility, as well as depreciating his property's value. The entire area was to be zoned commercial.

TOM MCGOWAN commended the International Church outreach program and supported the project.

WILLIAM McCURDY, 1117 Hart Avenue, for the record indicated that he took a day off to come and speak on a few items on today's Council's agenda. He supports outreach programs and hopes that the City Council will recognize the need for more churches. He mentioned that MANNY CORTEZ, CEO, Las Vegas Convention and Visitors Authority, had stated he would like to see Las Vegas not be promoted as Sin City. Allowing this church would provide those outreach programs to help the citizens of Las Vegas and encouraged the City Council to support the proposed project.

TODD FARLOW, 240 North 19th Street, asked COUNCILMAN BROWN if he had seen the different stages of the plan. He felt that the entire plan should be shown before this project goes forward. COUNCILMAN BROWN clarified that all discussion regarding engineering work would be done during the site development application.

COUNCILMAN BROWN asked DEPUTY CITY ATTORNEY BRYAN SCOTT what happens in the case where there are two vacant parcels side by side and the development of site "A" might in fact impact potential uses on site "B". DEPUTY CITY ATTORNEY SCOTT clarified that it would be a first come basis. If a church is placed now it would prohibit any tavern from

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 104 – MOD-3206

MINUTES – Continued:

coming within 1500 feet of that building, and prevent any supper club from coming 400 feet of that building. ROBERT GENZER, Director, Planning and Development Department, added that that would be true if construction is actually done. He further clarified for MAYOR GOODMAN that if MR. WEINMAN applies for a liquor license before there is any construction he then would be first in line at that point. DEPUTY CITY ATTORNEY SCOTT added that a special use permit approved for liquor is required because the special use permit would go with the land and the license would go with the individual. Past City policy has been that it has to be an existing structure able to operate as a church at the time. If MR. WEINMAN came in with a special use permit application it could be granted because the church does not exist at this point.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed for Item 104 [MOD-3206], Item 105 [ZON-3209] and Item 106 [SUP-3304].

NOTE: Regarding the drainage study for Item 105 [ZON-3209], COUNCILMAN BROWN directed that during Flood District Master Planning, not only this piece, but MR. WEINMAN'S piece and other developable pieces in the area, are looked at from a regional standpoint to see what the City would need, as far as an overall drainage plan.

NOTE: All discussion for Item 104 [MOD-3206], Item 105 [ZON-3209] and Item 106 [SUP-3304] took place under Item 104 [MOD-3206].

(2:29 – 2:43)

4-656

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-3209) to PD (Planned Development) shall be approved by the City Council at a Public Hearing.
2. The applicant shall provide to the Planning and Development Department ten (10) copies of the Lone Mountain West Master Development Plan and Design Standards that reflect the revised Section Headings and text.
3. Conformance to the Lone Mountain West Master Development Plan, except as amended by this request.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REZONING RELATED TO MOD-3206 - PUBLIC HEARING - **ZON-3209** - **INTERNATIONAL CHURCH OF LAS VEGAS ON BEHALF OF THE E. & G. BROWN SURVIVORS TRUST** - Request for a Rezoning FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: PD (PLANNED DEVELOPMENT) on 5.00 acres on the south side of Cliff Shadows Parkway, approximately 375 feet west of the 215 Beltway (APN: 137-12-401-011), Ward 4 (Brown). The Planning Commission (3-3 vote on motions for approval and denial) ended in a tie vote, therefore, this is being forwarded with no recommendation. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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RECOMMENDATION:

The Planning Commission (3-3 vote on motions for approval and denial) ended in a tie vote, therefore, this is being forwarded with no recommendation. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 104 [MOD-3206] for all related discussion.

(2:31 – 2:34)

3-3620

CONDITIONS:

Planning and Development

1. Approval of a Major Modification to the Lone Mountain Master Development Plan to include the subject 5.0-acre parcel within the plan area.
2. A Site Development Plan Review application shall be approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 105 – ZON-3209

CONDITIONS – Continued:

Public Works

3. Coordinate with the Right-of-Way Section of The Department of Public Works to submit the appropriate documents for a BLM Right-of-way Grant for Novat Street adjacent to this site, such grant shall be approved prior to the issuance of any permits for this site. Also dedicate any half street portions of Novat Street adjacent to this site required for the ultimate alignment of Novat Street. The ultimate alignment of Novat Street shall be determined prior to approval of a Site Development Review (SDR) for this site.
4. Construct appropriate street improvements on Novat Street concurrent with development of this site. Install all appurtenant underground facilities, if any, needed for the future traffic signal system concurrent with development of this site.
5. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
6. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend public sewer to the Cheyenne Avenue alignment in the Novat Street alignment to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
7. An update to the previously approved Lone Mountain West Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site.
8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 105 – ZON-3209

CONDITIONS – Continued:

developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer. We note that a future Clark County Regional Flood Control District master planned drainage facility is planned to pass through this site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO MOD-3206 AND ZON-3209 - PUBLIC HEARING - SUP-3304 - **INTERNATIONAL CHURCH OF LAS VEGAS ON BEHALF OF THE E.G. BROWN SURVIVOR'S TRUST** - Appeal filed by International Church of Las Vegas from the Denial by the Planning Commission of a request for a Special Use Permit FOR A CHURCH/HOUSE OF WORSHIP AND ASSOCIATED ANCILLARY USES; INCLUDING A PRESCHOOL, ELEMENTARY SCHOOL, AND A BIBLE COLLEGE on the south side of Cliff Shadows Parkway, approximately 375 feet west of the 215 Beltway (APN: 137-12-401-011), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: PD (Planned Development)], Ward 4 (Brown). The Planning Commission (5-1 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0
1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

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0

RECOMMENDATION:

The Planning Commission (5-1 vote) recommends DENIAL. Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letters filed by International Church of Las Vegas and VTN Nevada
5. Submitted after final agenda – Protest letter from Frank Weinman

MOTION:

BROWN – Granted the Appeal; thereby APPROVING the Special Use Permit subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 104 [MOD-3206] for all related discussion.

(2:31 – 2:34)

3-3620

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-3206) and Rezoning (ZON-3309).

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 106 – SUP-3304

CONDITIONS – Continued:

2. A Site Development Plan Review application shall be approved by the City Council prior to issuance of any permits, any site grading, and all development activity for the site.
3. This approval is limited to the church and preschool uses. Any future elementary school and/or bible college use will require additional Special Use Permit applications, either individually or jointly, to be submitted concurrently with a Site Development Plan Review application to demonstrate the physical ability of the site to accommodate multiple uses, given the significant grade differences.
4. Conformance to all Minimum Requirements within Section 2.4.2 of the Lone Mountain West Master Development Plan and Design Standards.
5. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
6. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - MASTER SIGN PLAN - PUBLIC HEARING - **MSP-2881** - **JONES MEDIA, INC. ON BEHALF OF SANTA FE STATION, INC.** - Request for a Master Sign Plan to add additional signs to an existing hotel/casino (Santa Fe Station) at 4949 North Rancho Drive (APN: 125-34-801-001), C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (6-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions and approving the submitted plan for a sign at the northern location only with the following added conditions:

- *A sign lighting plan shall be submitted for approval by the Planning and Development Department prior to issuance of building permits.*
- *The height of the sign at the northwest location shall be 50 feet.*

– **UNANIMOUS** with **L.B. McDONALD** abstaining as she serves as an outside director for Station Casinos

NOTE: COUNCILMAN MACK disclosed that he lives just outside the notification area in Painted Desert, but feels he could be fair on his judgment and vote on this item.

NOTE: MAYOR GOODMAN clarified with DEPUTY CITY ATTORNEY BRYAN SCOTT that the signs in question are not considered billboards, and therefore he could vote on the item.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 107 – MSP-2881

MINUTES – Continued:

ATTORNEY RUSSELL ROWE, Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of Santa Fe Station, Inc., and stated that the application is to amend their master sign plan to add two on-premise signs, one to be located at the northwest corner of the property, at the interchange of US95 and Rancho Drive. The second sign would be at the southwest corner, at the interchange of US95 and the overpass with Lone Mountain Road.

There are two existing on-premise signs for the Santa Fe. One is along Rancho Drive at the entrance, and the other is on US95. Additional signage is located on Rancho Road. The proposed signs are both under 75 feet high and the existing sign under 80 feet. ATTORNEY ROWE explained that the request for additional signs is due to the traffic volume that has grown on US95, and the ability to communicate messages of different promotions about entertainment, dining and gaming. He further stated that the Planning Commission was not pleased with the design, and since that time a new variation was created, which he showed on the overhead. The Planning Commission recommended that the sign fit the same visual theme and character of the Santa Fe Station. In fact, the design depicted the same architectural features as the existing sign. The sign at the northwest corner would be 50 feet in height and the sign at the southwest corner would be 68 feet in height.

TODD FARLOW, 240 North 19th Street, did not approve of the proposed signs and asked that the applicant provide electronic signs.

TOM McGOWAN, Las Vegas resident, stated that the sign would not be an obstruction to the immediate area, but asked what the need is for the proliferation of additional signs at this location. People in the Valley are aware where the Santa Fe is located.

CAROL Le DUC, 7575 Rome Boulevard, recalled a dispute regarding an application of Santa Fe Casino requesting signage on the parking garage. Signs are plastered throughout the parking garage.

LILLIAN JACOBSEN, 4904 North Bronco Lane, indicated that she was the original negotiator with the Lowden Group when the Santa Fe Casino was built and worked with the developer regarding its signage. She worked with ATTORNEY ROWE to redesign the original signs because what was presented at the Planning Commission was not what the residents were seeking at that location. Both she and the area residents support the new designs. She understands the need for additional signage because US95 and Rancho Drive are large roadways. Putting too much information on the existing signs would cause the lettering to be smaller leading some people to take their attention off the roadway while trying to read the message.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 107 – MSP-2881

MINUTES – Continued:

COUNCILMAN MACK thanked the applicant for the new design. This new billboard will fit well with the Santa Fe characteristics. The Santa Fe will be expanding and the ice rink will be moved to the Fiesta Casino. He pointed out that the northern sign is distant from the original existing sign, but does not believe the southern sign is necessary. He suggested that the applicant upgrade the existing signs to possibly include a message unit or digital reader board.

MARGO WHEELER, Deputy Director, Planning and Development Department, read into the record an additional condition stating that a sign lighting plan shall be submitted for approval by the Planning and Development Department prior to issuance of building permits.

MR. GENZER pointed out that the picture of the sign at the northwest location was at a height of 77 feet and asked if that is the height or should it be limited to a different height. ATTORNEY ROWE replied that it will remain at 50 feet as they had requested. MR. GENZER indicated that it would be helpful during the plans check if a condition were added stating the height. ATTORNEY ROWE agreed to the added conditions.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:43 – 2:57)

4-1144

CONDITIONS:

Planning and Development

1. The proposed signs shall utilize the same decorative bases and surrounds as the existing freestanding signs, and shall contribute to a harmonious visual theme for all signage on the property. The decorative bases and surrounds shall be reviewed and approved by the Planning and Development Department.
2. The new signs shall not be used for off-premise advertising.
3. The proposed signs shall conform to the height requirements for freestanding signs as listed in Title 19.14.060(F).
4. All signage shall have proper permits obtained through the Building and Safety Department.
5. Any additional modifications to the Master Sign Plan shall required approval in accordance with Title 19.14.130.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 107 – MSP-2881

CONDITIONS – Continued:

Public Works

6. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-32-85 and all other subsequent site-related actions.
7. Signs shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - STREET NAME CHANGE - PUBLIC HEARING - **SNC-3092** - **CITY OF LAS VEGAS** - Request to rename certain public streets between Tropical Parkway on the south and Grand Teton Drive on the north, and between El Capitan Way on the west and Durango Drive on the east, to accommodate the revised alignment of Durango Drive incorporating the "S-Curve" between Tropical Parkway and Centennial Parkway, and to maintain continuity of street names across intersections, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****2****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report

MOTION:

REESE – Motion to **ACCEPT THE WITHDRAWAL WITHOUT PREJUDICE** of Item 121 [SUP-2760], Item 126 [SUP-3153], and Item 133 [ZON-2918], Item 134 [VAC-2920], and **HOLD IN ABEYANCE** Item 108 [SNC-3092], Item 125 [SUP-3152] to 1/7/2004; Item 142 [GPA-2966], Item 143 [ZON-2967], Item 144 [SUP-3223], and Item 145 [SDR-3224] to 1/21/2004 – **UNANIMOUS** with **GOODMAN** abstaining on Items 121, 125 and 126 because members of his law firm are in negotiations with billboard companies, which could affect him as a result

MINUTES:

COUNCILMAN MACK requested that Item 108 [SNC-3092] be held in abeyance to 1/7/2004, as he was not able to meet with MS. BARTSAS.

There was no discussion.

(2:10 – 2:20)

4-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-3195 - PARDEE HOMES OF NEVADA -
Request for a Petition to vacate U. S. Government Patent Reservations, generally located west of Tee Pee Lane, between Farm Road and Severence Lane, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

TODD STUDDLE, 5740 South Arville Street, appeared on behalf of the applicant and concurred with all conditions.

No one appeared in opposition.

There was no discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:57 – 2:58)

4-1654

CONDITIONS:

1. Provide a plan for approval by the City Engineer indicating how legal access will be provided to Assessor's Parcel No. 125-18-701-007 prior to recordation of an Order of Relinquishment of Interest. All parcel access issues shall be resolved prior to recordation of an Order of Relinquishment of Interest.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 109 – VAC-3195

CONDITIONS – Continued:

2. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the vacation of these U.S. Government Patent Reservations. The vacation request shall be modified to conform to the approved Drainage Plan and Technical Drainage Study as required by the Department of Public Works. The drainage study required by Town Center Assemblage R-PD5 60/75 Unit #3 may be used to satisfy this condition provided that it includes a section covering the area to be vacated.
3. Prior to the recordation of an Order of Relinquishment of Interest, all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.
4. All development shall be in conformance with code requirements and design standards of all City departments.
5. The Order of Relinquishment of Interest shall not be recorded until all of the above conditions have been met. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
6. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VACATION - PUBLIC HEARING - VAC-3203 - CLIFF SHADOWS PROPERTIES, LIMITED LIABILITY COMPANY ON BEHALF OF THE DEXTER TRUST - Request for a Petition to vacate Barden Road, the south 10 feet of Lone Mountain Road and U. S. Government Patent Reservations, generally located east of Cliff Shadows Parkway, between Lone Mountain Road and Peaceful Dawn Avenue, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED subject to conditions and amending Condition 1 by adding the following to the end of the condition, *unless otherwise allowed by the City Engineer*, and amending Condition 6 to insert the phrase “*or Order of Relinquishment of Interest*” after “*Order of Vacation*” in the first line of the condition.

– UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

RICHARD TURNER appeared on behalf of the applicant and stated that as a result of a discussion with staff, verbiage needs to be added at the end of Condition 1. BART ANDERSON, Public Works Department, read into the record that the words “unless otherwise allowed by the City Engineer” be added. He explained that the condition requires that the City retain a sewer easement within that alignment, but the applicant has proposed an alternative alignment that has been tentatively approved. This would give the City the flexibility to relocate that as approved by the City Engineer.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 110 – VAC-3203

MINUTES – Continued:

ROBERT GENZER, Director, Planning and Development Department, pointed out a minor modification to Condition 6 by adding the words “and Order of Relinquishment” after the words, “The Order of Vacation”. MR. TURNER concurred with the added condition, as well as the modification of Condition 6.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:58 – 3:00)

4-1689

CONDITIONS:

1. This Petition of Vacation shall be revised to retain a 20 foot wide City of Las Vegas Sewer easement within Barden Road, in an alignment and to a location acceptable to the City Engineer prior to recordation of the Order of Vacation.
2. This Vacation Application may be recorded in phases; the Order of Vacation for the right-of-way portion of this application in the Barden Road alignment shall not record until issues related to utility service alignments have been resolved to the satisfaction of the City Engineer.
3. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation or Order of Relinquishment for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.
4. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation or Order of Relinquishment.
5. All development shall be in conformance with code requirements and design standards of all City departments.
6. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that that conditions requiring modification of public

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 110 – VAC-3203

CONDITIONS – Continued:

improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

7. If the Order of Vacation or Order of Relinquishment is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - **VAR-3065 - TOMASA CHAVEZ ON BEHALF OF BEST GROUP, INC.** - Request for a Variance TO ALLOW 15 PARKING SPACES WHERE 34 PARKING SPACES ARE REQUIRED FOR AN EXISTING RETAIL BUILDING WITH A RESTAURANT at 621 North Eastern Avenue (APN: 139-26-811-192), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

75

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council – Executive Summary Notes submitted by Detective Bill Shone, Las Vegas Metropolitan Police Department filed under Item 65

MOTION:

WEEKLY – APPROVED subject to conditions with the following added condition:

- *This Variance shall be reviewed in one year.*
- **UNANIMOUS** with REESE abstaining because the applicant's property is located next to the shopping center that houses his barbershop and it is possible that a reduction on the parking will have an impact on all parking in the shopping center. Further, he and his partner receive \$600 per year from the shopping center owner to act as on site property manager for the shopping center. Therefore, he did not believe that he could be objective in these matters.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 111 [VAR-3065] and Item 112 [SUP-3064].

DAVID GARCIA, General Manager, El Pollo Real, stated he is aware of concerns regarding the parking, but his business is 80% takeout. There is no residential adjacent to his business.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 111 – VAR-3065

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, noted that the Planning Commission had asked the applicant if he could come up with a parking agreement with the landlord to the south. If such an agreement cannot be provided, he does not see how this business would fit into this center.

TOM McGOWAN, Las Vegas resident, stated that there have been many instances where the number of parking spaces was reduced. This particular application does not seem extraordinary. The community should recognize the Spanish heritage and its significance, even a small eatery of this type. He does not believe the barbershop would fail due to the parking space reduction.

JOHN GRACIA, 6500 West Charleston, appeared in support of the restaurant. The family-owned business supports the community, such as being involved in the opening of the community center on Charleston Boulevard and Stewart Avenue. Their business does not render a lot of profit, but they want to survive day-to-day.

DARREN WELSH, 3790 South Paradise Road, appeared on behalf of the immediate southern landowner, Val Vegas Bonanza Development, LLC. MR. WELSH opposed the project and asked that the request be denied because the parking situation would negatively impact the adjacent landowner.

MARIA PIERSON, El Mundo Newspaper, expressed her support for the applicant. The applicant has been in business for nine years and has been good for the community.

LUZ MARIA SANCHEZ, 95 Emerald Circle, owner of the property in question, stated that she would provide signs directing restaurant customers to park exclusively near their site.

ROGER CORNELL, 2946 Kensington Street, and PACO TERON, both are customers of El Pollo Real. They usually telephone in the orders and pick up the food within five minutes. They have no trouble finding parking in the center. They both support the application.

MAYOR GOODMAN commented that he enjoys the chicken from this restaurant, but was offended to see signs displayed by the people in the audience making this an ethnic issue. The City Council votes on whether or not appropriate parking is available, not whether or not the Council supports Hispanic businesses.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 111 – VAR-3065

MINUTES – Continued:

COUNCILMAN WEEKLY agreed with MAYOR GOODMAN'S comments and added that even though parking has been a major concern he would approve the variance with a one-year review. MR. GARCIA thanked the Council and stated that he will adhere to all the conditions. COUNCILMAN WEEKLY referred to the storage facility located behind the property and asked that a condition be added to address that issue. The applicant will have one year to resolve any issues that may arise. MR. GARCIA affirmed COUNCILMAN WEEKLY'S comment.

ROBERT GENZER, Director, Planning and Development Department, suggested a one-year review and that the use of the rear portion of the structure be restricted to storage under the special use permit as proposed by the applicant. Utilizing only the front portion of the building would provide sufficient parking. DEPUTY CITY ATTORNEY BRYAN SCOTT asked that the use restriction be described more clearly. MR. GENZER responded that the condition could be reflected on the plan itself.

JIM DiFIORE, Manager, Business License Division, introduced SERGEANT REGAN ALEXANDER, and DETECTIVE BILL SHONE, Las Vegas Metropolitan Police Department, who addressed areas of concerns that arose during MR. GARCIA'S investigation. SERGEANT ALEXANDER explained there was evidence of misleading, omission and lies by MR. GARCIA pertaining to a criminal history.

MAYOR GOODMAN asked MR. GARCIA whether he was aware of Metro's contention. MR. GARCIA replied affirmatively and stated that when he was arrested he was much younger and asked the Council for the opportunity to have the liquor license. He explained that when he was interviewed by Metro he did not want to disclose his arrest history in the presence of his mother, but that he wrote a letter to Metro explaining why he lied. MAYOR GOODMAN verified with DETECTIVE SHONE that he received a letter from MR. GARCIA admitting to the arrests.

MR. DiFIORE commented that this is a beer/wine on sale license and it is a requirement for the service of the alcohol that is in conjunction with the meal. It is not an off-sale license and he questioned the reason the applicant needs the license if 80% of his clientele take out food. MR. GARCIA replied that there are some customers who ask for a beer or a glass of wine with their meal to be consumed in the restaurant. MR. DiFIORE added that MR. GARCIA, by not revealing and misleading the investigator raised his concern about moving forward with this license. It may result in additional problems that may be difficult to monitor. He would accept any conditions the Council may place on the license, however, he cautioned the Council in proceeding with the application.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 111 – VAR-3065

MINUTES – Continued:

COUNCILMAN WEEKLY understood why the applicant did not reveal his mistakes. He is also aware that MR. GARCIA runs a successful business; therefore, he approved the license for six months. MR. GARCIA stated for the record that he would not protest if after six months problems were found.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed for Item 111 [VAR-3065], Item 112 [SUP-3064].

NOTE: All discussion for Items 111 [VAR-3065], Item 112 [SUP-3064] and 65 [Tomas Chavez, dba El Pollo Real Restaurant] was held under Item 111.

(3:00 – 3:23)

4-1764

CONDITIONS:

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. Conformance to the Conditions of Approval for Rezoning (Z-0083-77), and Rezoning (Z-0036-91).

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO VAR-3065 - PUBLIC HEARING - SUP-3064 - TOMASA CHAVEZ ON BEHALF OF BEST GROUP, INC. - Request for a Special Use Permit FOR A PROPOSED RESTAURANT SERVICE BAR at 621 North Eastern Avenue (APN: 139-26-811-192), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). (NOTE: This item to be heard in conjunction with Morning Session Item #65.) The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3
0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

75
0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council – Executive Summary Notes submitted by Detective Bill Shone, Las Vegas Metropolitan Police Department filed under Item 65

MOTION:

WEEKLY – APPROVED subject to conditions with the following added conditions:

- *This Special Use Permit shall be reviewed in one year.*
- *Restrict the use of the rear portion of the structure as shown on the plan for storage only.*

– **UNANIMOUS** with REESE abstaining because the applicant's property is located next to the shopping center that houses his barbershop and it is possible that a reduction on the parking will have an impact on all parking in the shopping center. Further, he and his partner receive \$600 per year from the shopping center owner to act as on site property manager for the shopping center. Therefore, he did not believe that he could be objective in these matters.

MINUTES:

NOTE: See Item 111 [VAR-3065] for all related discussion.

(3:00 – 3:23)

4-1764

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 112 – SUP-3064

CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. Conformance to the Conditions of Approval for Rezoning (Z-0083-77), and Rezoning (Z-0036-91).
3. Conformance to all Minimum Requirements under Title 19.04.050 for Restaurant Service Bar use.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
6. The Restaurant Service Bar use shall conform to the definition as listed in Title 19.20.020.
7. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VARIANCE - PUBLIC HEARING - VAR-3202 - LaPOUR PARTNERS ON BEHALF OF NEVADA BAKING COMPANY, INC. - Request for a Variance TO ALLOW 101 PARKING SPACES WHERE 150 SPACES ARE REQUIRED on 2.25 acres at 299 West Charleston Boulevard (APN: 162-04-504-005, 006, 007 and 009), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (4-0-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (4-0-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 113 [VAR-3202] and Item 114 [SDR-3199].

JEFF LaPOUR, 5525 South Decatur Boulevard, Suite 101, concurred with staff conditions.

MAYOR GOODMAN commented that this property pertains to the Holsum Bakery located near the Charleston Boulevard underpass. MR. LaPOUR intends to develop live/work art lofts, as well as an art gallery, restaurants and cafes. This project is vital to the revitalization of the Downtown Arts District. An opening was held a few weeks ago and many that attended are looking forward for the opportunity to live in that kind of an environment.

TODD FARLOW, 240 North 19th Street, appeared in support of the application and stated the Arts District's boundary should be expanded to include this project.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 113 – VAR-3202

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed for Item 113 [VAR-3202] and Item 114 [SDR-3199].

NOTE: All discussion for Items 113 [VAR-3202] and Item 114 [SDR-3199] took place under Item 113.

(3:23 – 3:26)

4-2800

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-3199.
2. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3202 - PUBLIC HEARING - **SDR-3199 - LaPOUR PARTNERS ON BEHALF OF NEVADA BAKING COMPANY, INC.** - Request for a Site Development Plan Review FOR 36,223 SQUARE FOOT EXISTING COMMERCIAL BUILDING AND A WAIVER OF PARKING LOT AND PERIMETER LANDSCAPING STANDARDS on 2.25 acres at 299 West Charleston Boulevard (APN: 162-04-504-005, 006, 007, and 009), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (4-0-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (4-0-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 113 [VAR-3202] for all related discussion.

(3:23 – 3:26)

4-2800

CONDITIONS:

Planning and Development

1. Approval of a Variance (VAR-3202) from parking standards to allow 101 spaces where 146 parking spaces are required by code.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 114 – SDR-3199

CONDITIONS – Continued:

4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
7. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building.
8. The live/work units shown on the plan shall not be permitted until a text amendment is approved to allow the use in the M (Industrial) zoning district.
9. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

Public Works

10. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. The proposed driveway accessing Charleston Boulevard must also receive approval from the Nevada Department of Transportation prior to issuance of building permits.
11. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
12. No buildings or permanent structures shall be erected over existing public sewer lines or within existing public sewer easements.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 114 – SDR-3199

CONDITIONS – Continued:

13. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
14. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VARIANCE - PUBLIC HEARING - **VAR-3204 - MOONROCK, LIMITED LIABILITY COMPANY** - Request for a Variance TO ALLOW 64 PARKING SPACES WHERE 79 SPACES ARE REQUIRED FOR A PROPOSED MEDICAL OFFICE on 1.44 acres adjacent to the west side of Fire Mesa Street, approximately 281 feet north of Cheyenne Avenue (APN: 138-15-410-032), C-PB (Planned Business Park) Zone, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 115 [VAR-3204] and Item 116 [SDR-3205].

NED COLE, 3801 Robar Street, appeared on behalf of the owner and concurred with staff recommendations.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed for Item 115 [VAR-3204] and Item 116 [SDR-3205].

NOTE: All discussion for Items 115 [VAR-3204] and Item 116 [SDR-3205] took place under Item 115.

(3:26 – 3:28)

4-2968

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 115 – VAR-3204

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-3205).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3204 - PUBLIC HEARING - **SDR-3205 - MOONROCK, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review FOR A PROPOSED MEDICAL OFFICE on 1.44 acres adjacent to the west side of Fire Mesa Street, approximately 281 feet north of Cheyenne Avenue (APN: 138-15-410-032), C-PB (Planned Business Park) Zone, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 115 [VAR-3204] for all related discussion.

(3:26 – 3:28)

4-2968

CONDITIONS:

Planning and Development

1. A Variance (VAR-3204) approved by City Council in order to permit a reduction in parking spaces.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 116 – SDR-3205

CONDITIONS – Continued:

4. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
5. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and properties.
6. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building.
7. Reflective glass shall not be permitted in accordance with the requirements of Title 19.08.045.
8. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

Public Works

9. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend public sewer to the adjacent Parcel #138-15-402-002 to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
10. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
11. An update to the previously approved Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 116 – SDR-3205

CONDITIONS – Continued:

12. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or submittal of any construction drawings whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
13. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-87-98 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VARIANCE - PUBLIC HEARING - VAR-3214 - CANYON RIDGE CHRISTIAN CHURCH - Request for a Variance TO ALLOW A HEIGHT OF 77'-0" FEET WHERE 35'-0" FEET IS ALLOWED on 25.14 acres adjacent to the northwest corner of Jones Boulevard and Lone Mountain Road (APN: 125-25-803-001, 002, 125-35-802-006 and 007), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (3-2-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4
1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2
1

RECOMMENDATION:

The Planning Commission (3-2-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest letter from Frank Harris/Harris Family Trust
5. Submitted after final agenda – Support letter from Frank Martin for Item 117 and Item 118 filed under Item 117
6. Back up referenced from the 11/20/2003 Planning Commission meeting Item 34

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with GOODMAN not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 117 [VAR-3214], Item 118 [ROC-3216] and Item 119 [SDR-3213].

STEVE SWISHER, Swisher & Hall, 7373 Peak Drive, Suite 250, appeared on behalf of the applicant together with DOUG PARKS, Operations Pastor, Canyon Ridge Christian Church, 6200 West Lone Mountain Road. MR. SWISHER explained that Item 117 [VAR-3214] relates to the height of a slender cross that is part of an architectural enhancement of the existing church. It is located in the middle of the site, over 400 feet from any public right-of-way, and it will not impact the residential neighborhoods.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 117 – VAR-3214

MINUTES – Continued:

MR. PARKS indicated that many of the Canyon Ridge Christian Church members were present in support and asked them all to stand.

TODD FARLOW, 240 North 19th Street, was pleased with the height of the cross.

CAROL LeDUC, 7575 Rome Boulevard, stated that the height of the cross will not obstruct anyone's view because is located in the center of the church. She thought it was a great idea.

PATRICIA REID, 5816 Red Umber Avenue, stated the church has been a good neighbor by meeting the needs of the community. The church provides services to the community, such as Kings Fair held in October, which is a Halloween for children. Neighborhood meetings were held informing the residents of their plans and this speaks volumes about the church. The expansion will help eliminate the dust problems. She was pleased with the cross, which she sees as a message of hope for the northwest.

CANDY and DAVID PRINGLE, 14785 Laurie Lane, own a home on Bronco Street. They do not oppose the church, but are concerned about the church's impact on their home, which they rent to another family. MR. PRINGLE added that the church purchased all the land surrounding their home and that the church will impact the lifestyle of this area. He indicated that in 1995 the church requested the vacation of Bronco Street before the City Council and, as part of that vacation improvements would be made to Bronco Street along with a cul-de-sac. However, those improvements were not done. He asked that those improvements be completed before any new construction begins.

COUNCILMAN MACK indicated that his first thoughts about the 77-foot high structure were that it seemed intrusive for the adjacent neighborhood. However, this structure could help the co-location of cell towers. He verified with MR. SWISHER that on going discussions are being held with cell companies to locate two cell towers within that site.

Regarding Item 118 [ROC-3216], MR. SWISHER explained that the review of conditions was approved at the Planning Commission and addresses the dedications for Maverick Street. He concurred with staff conditions.

COUNCILMAN MACK stated that it is disingenuous for MR. PRINGLE to state that they are being pushed out of their property when an offer has been made for their home.

BART ANDERSON, Public Works Department, recommended and read into the record a revision of Condition 17 on Item 119 [SDR-3213]. In addition, COUNCILMAN MACK amended Condition 3 by deleting the words "in the parking areas" at the end of the condition, and amending Condition 5 to reflect the cross to be a maximum height of 77 feet. MR. SWISHER concurred with the revisions.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 117 – VAR-3214

MINUTES – Continued:

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed for Item 117 [VAR-3214], Item 118 [ROC-3216] and Item 119 [SDR-3213].

NOTE: All discussion for Items 117 [VAR-3214], Item 118 [ROC-3216] and Item 119 [SDR-3213] took place under Item 117 [VAR-3214].

(3:28 – 3:46)

4-3079/5-1

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit and Site Development Plan Review (SDR-3213) and Review of Conditions (ROC-3216).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REVIEW OF CONDITION RELATED TO VAR-3214 - PUBLIC HEARING - **ROC-3216 - CANYON RIDGE CHRISTIAN CHURCH** - Request for a Review of Conditions No. 3 and 4 of an approved Special Use Permit (U-0088-95) WHICH REQUIRED THE VACATION OF MAVERICK STREET WITH ALL NECESSARY CUL-DE-SAC DEDICATIONS AND STREET IMPROVEMENTS AND REQUIRED THE CONSTRUCTION OF HALF AND FULL STREET IMPROVEMENTS FOR STREETS ADJACENT TO THE SUBJECT SITE and Conditions No. 11 and 13 of an approved Plot Plan and Building Elevation Review [U-0088-95(1)] WHICH RESTRICTED THE HEIGHT OF THE ENTIRE BUILDING TO 35 FEET TO BE MEASURED FROM AVERAGE FINISHED GRADE TO THE HIGHEST EXTERIOR FEATURE OF THE BUILDING AND REQUIRED THE CREATION OF TWO HALF-ACRE PARCELS FOR FUTURE RESIDENTIAL DEVELOPMENT IN THE NORTH PORTION OF THE PARCEL AS A BUFFER FOR THE R-E HOMES ON BRONCO on 25.14 acres adjacent to the northwest corner of Lone Mountain Road and Jones Boulevard, (APN: 125-35-803-001, 002, 125-35-802-006 and 007), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (4-1-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4
1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2
1

RECOMMENDATION:

The Planning Commission (4-1-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – protest letter from Frank Harris/Harris Family Trust
5. Submitted after final agenda – Support letter from Frank Martin for Item 117 and Item 118 filed under Item 117
6. Back up referenced from the 11/20/2003 Planning Commission meeting Item 36

MOTION:

MACK – APPROVED subject to conditions and deleting Condition 1 – UNANIMOUS with GOODMAN not voting

MINUTES:

NOTE: See Item 117 [VAR-3214] for all related discussion.

(3:28 – 3:46)

4-3079/5-1

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 118 – ROC-3216

CONDITIONS:

Planning and Development

1. Condition #11 shall remain as part of the approval of Special Use Permit [U-0088-95(1)].
2. Condition # 13 shall be removed from the approval of Special Use Permit [U-0088-95(1)].

Public Works

3. Condition #3 of Special Use Permit (U-0088-95) shall be replaced with the following:

Obtain dedication or public roadway easement rights to terminate Maverick Street as shown on Zoning Reclassification ZON-1218 prior to the issuance of permits for this site. If said dedication or easement rights cannot be obtained, dedicate appropriate right-of-way for a cul-de-sac terminus, meeting current City Standards, for Maverick Street prior to the issuance of permits for any construction abutting or overlying Maverick Street. Also, submit a Petition of Vacation to vacate existing right-of-way in excess of the dedications required above for termination of Maverick Street, if any. Such vacation must be approved by City Council prior to the submittal of construction drawings for this site, and shall record prior to the issuance of permits for any permanent structures overlying the area to be vacated. Construct half-street improvements, including appropriate overpaving if legally able, on Maverick Street adjacent to this site concurrent with development of this site.

4. Condition #4 of Special Use Permit (U-0088-95) shall be replaced with the following:
Sign and record a Covenant Running with Land agreement for the possible future installation of half-street improvements (including curb and gutter, sidewalks, streetlighting, permanent paving and possibly fire hydrants and sewers) on Bronco Street adjacent to this site. This condition shall be reviewed by the Planning Commission and City Council in two years from the date of approval of this Review of Condition action, at which time the final disposition of Bronco Street adjacent to this site may be determined, improvements may be required, or another review period may be imposed.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3214 AND ROC-3216 - PUBLIC HEARING - **SDR-3213 - CANYON RIDGE CHRISTIAN CHURCH** - Request for a Site Development Plan Review FOR TWO PROPOSED CLASSROOM/ YOUTH BUILDINGS, AN EXPANSION OF AN EXISTING CHURCH AND A WAIVER OF THE PARKING LOT LANDSCAPING REQUIREMENTS on 25.14 acres adjacent to the northwest corner of Lone Mountain Road and Jones Boulevard, (APN: 125-35-803-001, 002, 125-35-802-006 and 007), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (4-1-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

4
1

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

2
1

City Council Meeting

RECOMMENDATION:

The Planning Commission (4-1-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 11/20/2003 Planning Commission meeting Item 35

MOTION:

MACK – APPROVED subject to conditions, revising Conditions 3, 5 and 17 as follows:

3. The site plan shall be revised and approved by Planning and Development Department staff prior to the time application is made for the building permit to reflect one 24-inch box tree for every six parking spaces within the landscape planters.
5. The proposed cross shall not exceed an overall height of 77 feet.
17. Construct all incomplete half-street improvements on La Madre Way adjacent to this site concurrent with development on this site abutting La Madre Way. Improvements on Maverick Street and Bronco Street shall be in accordance with the requirements of Review of Condition ROC-3216.

– UNANIMOUS with GOODMAN not voting

MINUTES:

NOTE: See Item 117 [VAR-3214] for all related discussion.

(2:31 – 2:34)

3-3620

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 119 – SDR-3213

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect one 24-inch box trees for every six parking spaces within landscape planters in the parking areas.
4. The landscape plan shall be revised and approved by the Planning and Development Department; prior to the time application is made for a building permit, to reflect perimeter landscape planters for the portions of the site that are currently undeveloped. The planters shall be 15 feet in width when adjacent to public rights-of-way and 8 feet in width in all other instances. The planters shall include a minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
5. The proposed cross shall not exceed an overall height of 35 feet.
6. The west elevation of the Youth Center (building A) shall be revised in accordance with Title 19.08.045 which requires that building surfaces over 20 feet height or 50 feet in length shall be relieved with a change of wall plane or other means to provide strong shadow and visual interest.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 119 – SDR-3213

CONDITIONS:

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.
14. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

Public Works

15. Submit a Petition of Vacation to vacate the existing cul-de-sac terminus for Bronco Street in conflict with this site plan. Such vacation must be approved by City Council prior to the submittal of construction drawings and shall record prior to the issuance of any permits for any construction adjacent to or overlying the area to be vacated.
16. Dedicate appropriate right-of-way to terminate Bronco Street in accordance with this site plan and current City Standards prior to the issuance of any permits. Also, dedicate or obtain dedication of appropriate right-of-way to terminate Maverick Street in a manner acceptable to the Department of Public Works prior to the issuance of any permits for this site.
17. Construct all incomplete half-street improvements on La Madre Way, Maverick Street and Bronco Street, including the cul-de-sac terminus for Maverick Street and Bronco Street, adjacent to this site concurrent with development of this site unless deferral of such improvement is approved by City Council.
18. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 119 – SDR-3213

CONDITIONS:

19. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

20. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 119 – SDR-3213

CONDITIONS:

21. Site development to comply with all applicable conditions of approval for Special Use Permit U-88-95 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - **SUP-2759** - **REAGAN NATIONAL ADVERTISING ON BEHALF OF WILLIAM P MIGUEL, ET AL**
- Appeal filed by Singer & Brown from the Denial by the Planning Commission on a request for a Special Use Permit for a proposed 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) sign at 789 North Nellis Boulevard (APN: 140-29-802-004), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Singer & Brown

MOTION:

REESE – Granted the Appeal; thereby APPROVING the Special Use Permit subject to conditions – UNANIMOUS with GOODMAN and L.B. McDONALD not voting

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

MAYOR PRO TEM REESE explained that staff's recommendation for denial was due to the proliferation of all different types of signs.

ANDY BILANZICH, Reagan National Advertising, 3851 Pennwood Avenue, Suite B-1, concurred with staff conditions. He has worked with the property owners and the tenant to ensure that any additional signage will not create visual clutter.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 120 – SUP-2759

MINUTES – Continued:

MAYOR PRO TEM REESE commented that his understanding was that MR. BROWN would forsake the other location and his request for withdrawal without prejudice was disappointing. MR. BILANZICH apologized and stated that the intent was to withdraw it completely and offered to add that as a condition.

TODD FARLOW, 240 North 19th Street, pointed out that there is an over saturation of billboards on this site. He suggested a Master Sign Plan for this area. MAYOR PRO TEM REESE stated that the applicant meets all the distance requirements and that the second application is being withdrawn. Nellis Boulevard is appropriate for billboards and thanked the applicant for withdrawing the other application.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(3:50 – 3:54)

5-394

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign be removed.
2. All existing landscaping shall remain unaltered, including the existing tree within the proposed billboard planter location.
3. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premise Sign use and other applicable sign requirements.
4. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
5. The off-premise advertising (billboard) sign support pole shall be redesigned to include finish materials to complement the existing on-site building.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 120 – SUP-2759

CONDITIONS – Continued:

6. Only one advertising sign is permitted per sign face.
7. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
8. If the off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
9. All City Code requirements and design standards of all City Departments shall be satisfied.

Public Works

10. Signs shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - **SUP-2760** - **REAGAN NATIONAL ADVERTISING ON BEHALF OF WILLIAM P MIGUEL, ET AL** - Appeal filed by Singer & Brown from the Denial by the Planning Commission on a request for a Special Use Permit for a 14 foot by 48 foot off-premise advertising (billboard) sign to be 50 feet tall where 40 feet is the maximum allowed unless the display surface is obscured from view at 745 North Nellis Boulevard (APN: 140-29-802-005), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Singer & Brown
5. Submitted after final agenda – request to withdraw without prejudice by Singer & Brown

MOTION:

REESE – Motion to ACCEPT THE WITHDRAWAL WITHOUT PREJUDICE of Item 121 [SUP-2760], Item 126 [SUP-3153], and Item 133 [ZON-2918], Item 134 [VAC-2920], and HOLD IN ABEYANCE Item 108 [SNC-3092], Item 125 [SUP-3152] to 1/7/2004; Item 142 [GPA-2966], Item 143 [ZON-2967], Item 144 [SUP-3223], and Item 145 [SDR-3224] to 1/21/2004 – UNANIMOUS with GOODMAN abstaining on Items 121, 125 and 126 because members of his law firm are in negotiations with billboard companies, which could affect him as a result

There was no discussion.

(2:10 – 2:20)
 4-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2859 - DESERT DODGE ON BEHALF OF DOUGLAS KAYS - Request for a Special Use Permit FOR A PROPOSED AUTO DEALER INVENTORY STORAGE at 1717 South Decatur Boulevard (APN:162-06-301-002), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council – Protest letter from Robert Edward Kurk submitted by Mayor Goodman

MOTION:

MONCRIEF – APPROVED subject to conditions and the following added condition:

- *No sales shall take place on this property.*

– UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

CASH WILSON, 7625 South Industrial Road, appeared on behalf of the applicant, DAVE WICK, Desert Dodge, 4701 West Sahara Avenue. MR. WILSON thanked Planning staff for working with the applicant to resolve some of the concerns regarding the landscaping.

MAYOR GOODMAN read and submitted for the record a protest letter from ROBERT KURK indicating that the applicant is using the east sector of the parking lot as an extension of their sales lot.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 122 – SUP-2859

MINUTES – Continued:

COUNCILWOMAN MONCRIEF confirmed with MR. WILSON that he agrees with Conditions 2 and 7.

ROBERT GENZER, Director, Planning and Development Department, recommended that in light of MR. KURK'S letter a condition be added stating that no sales shall take place on this property. Both MR. WILSON and MR. WICK concurred with the added condition.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(4:38 – 4:41)

5-2153

CONDITIONS:

Planning and Development

1. This use shall be subject to a one-year review in a public hearing by the Planning Commission and City Council.
2. The applicant shall submit a plan to provide adequate screening of the vehicles. This plan shall be completed a minimum of 90 days from the final approval of this request or the vehicles shall be removed.
3. The applicant shall provide a detailed parking analysis, based on current Code requirements, indicating the vehicle storage does not interfere with required parking for the existing development a minimum of 90 days from the final approval of this request or the vehicles shall be removed.
4. Conformance to all Minimum Requirements under Title 19.04.050 for an Auto Dealer Inventory Storage use.
5. This Special Use Permit shall expire three years from the date of final approval.
6. All City Code requirements and design standards of all City departments must be satisfied.
7. The applicant shall be responsible for the landscaping from the east property line to the first parking lot entry west on Oakey Boulevard.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3128 - NORA ARMENIAN ON BEHALF OF THE KOUTNOUYAN LIVING TRUST - Request for a Special Use Permit FOR AUTO PARTS (NEW AND REBUILT) (ACCESSORY SALES & SERVICE) AND A PROPOSED AUTO REPAIR GARAGE, MINOR, located at 4401 Stewart Avenue (APN: 140-32-201-002), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – ABEYANCE to 1/7/2004 – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

NORA ARMENIAN, 1000 Stephanie Place, Henderson, appeared on behalf of the property owners and requested approval.

TODD FARLOW, 240 North 19th Street, was disappointed that the grocery store could not be developed on this site. This is a sensitive area and asked that a review be imposed on this application.

COUNCILMAN REESE discussed with MS. ARMENIAN that the tire shop would be open from 8:00 a.m. to 9:00 p.m. and requested that the shop close at 6:00 p.m. MS. ARMENIAN argued that limiting the hours of operation would prohibit those people who work until 5:00 p.m. to get service. COUNCILMAN REESE rebutted that homes across from the shop and along

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 123 – SUP-3128

MINUTES – Continued:

Stewart Avenue need to be protected. MS. ARMENIAN suggested that the access of the bay be on Lamb Boulevard. COUNCILMAN REESE pointed out that there will be a six-month review on this application, but asked MS. ARMENIAN that she put on the record that the hours of operation would be from 8:00 a.m. to 6:00 p.m. When she was unable to concur, he asked that the item be held in abeyance so that he could meet with her to discuss his concerns.

MAYOR GOODMAN suggested that MS. ARMENIAN contact COUNCILMAN REESE'S office to schedule an appointment.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(4:41 – 4:45)

5-2275

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3140 - CLEAR CHANNEL OUTDOOR - Request for a Special Use Permit FOR A PROPOSED 55-FOOT TALL, 24 FOOT BY 26 FOOT, OFF-PREMISE ADVERTISING (BILLBOARD) SIGN adjacent to the east side of Interstate 15, approximately 580 feet south of Sahara Avenue (a portion of APN: 162-09-102-005), M (Industrial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Clear Channel Outdoor letter requesting removal of a condition

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS with GOODMAN abstaining because members of his law firm are in negotiations with billboard companies, which could affect him as a result

NOTE: COUNCILMAN MACK disclosed that the parking lot for Treasures, a client of Mack Consulting, lies within the notification radius of the request. However, his client has not approached him nor will it impact the business and he will vote on the item.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open and disclosed his abstention.

RON CARTER, Clear Channel Outdoor, 1211 West Bonanza Road, appeared on behalf of the applicant and concurred with staff recommendations, with the exception of Planning Commission request to make the billboard aesthetically pleasing.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 124 – SUP-3140

MINUTES – Continued:

COUNCILWOMAN MONCRIEF opined that the height of the existing billboard is acceptable because its visibility for the traffic heading south on I-15 is blocked due to the Sahara Avenue interchange.

DEPUTY CITY ATTORNEY BRYAN SCOTT verified with COUNCILMAN MONCRIEF that the aesthetically pleasing condition remains.

No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(4:45 – 4:48)

5-2506

CONDITIONS:

Planning and Development

1. Designs of aesthetic upgrades to the support pole and sign frame shall be submitted to staff for review and approval prior to the hearing of the item by the City Council.
2. Conformance to all Minimum Requirements under Title 19.14. for an Off-Premise Sign use.
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. No sign certificate shall be issued for an individual off-premise sign unless and until a site plan for the parcel on which the sign will be erected has been submitted to and approved by the Director. The site plan shall include the following:
 - a. An accurate site plan of the parcel, at the scale the Director requires;
 - b. The location of buildings, parking lots, driveways and landscaped areas on the parcel;
 - c. An accurate indication of the location of all existing and proposed off-premise signs;
 - d. Drawings which allow the computation of sign area and the height of any off premise signs and which indicate any sign characteristics such as illumination, embellishment areas or moving parts.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 124 – SUP-3140

CONDITIONS – Continued:

6. The Special Use Permit shall be reviewed in two years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
7. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
8. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
9. The off-premise advertising sign (billboard) supporting structure shall be redesigned to finish materials to complement the existing on-site building. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
10. The property owner shall keep the property properly maintained and free of graffiti, trash and weeds at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise sign.
11. Only one advertising sign is permitted per sign face.

Public Works

12. The proposed billboard sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3152 - REAGAN NATIONAL ADVERTISING ON BEHALF OF NORIKO TAKADA OBA QUALIFIED TRUST - Appeal filed by Singer & Brown from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 5300 West Sahara Avenue (APN: 163-01-804-006), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Singer & Brown
5. Abeyance letter from Singer & Brown

MOTION:

REESE – Motion to ACCEPT THE WITHDRAWAL WITHOUT PREJUDICE of Item 121 [SUP-2760], Item 126 [SUP-3153], and Item 133 [ZON-2918], Item 134 [VAC-2920], and HOLD IN ABEYANCE Item 108 [SNC-3092], Item 125 [SUP-3152] to 1/7/2004; Item 142 [GPA-2966], Item 143 [ZON-2967], Item 144 [SUP-3223], and Item 145 [SDR-3224] to 1/21/2004 – UNANIMOUS with GOODMAN abstaining on Items 121, 125 and 126 because members of his law firm are in negotiations with billboard companies, which could affect him as a result

There was no discussion.

(2:10 – 2:20)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3153 - REAGAN NATIONAL ADVERTISING ON BEHALF OF IGLESIAS ANER TRUST 1997, ET AL - Appeal filed by Singer & Brown from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 840 North Decatur Boulevard (APN: 139-30-301-002), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Singer & Brown
5. Submitted after final agenda – request to withdraw without prejudice by Singer & Brown
6. Submitted after final agenda – 6 protest letters

MOTION:

REESE – Motion to ACCEPT THE WITHDRAWAL WITHOUT PREJUDICE of Item 121 [SUP-2760], Item 126 [SUP-3153], and Item 133 [ZON-2918], Item 134 [VAC-2920], and HOLD IN ABEYANCE Item 108 [SNC-3092], Item 125 [SUP-3152] to 1/7/2004; Item 142 [GPA-2966], Item 143 [ZON-2967], Item 144 [SUP-3223], and Item 145 [SDR-3224] to 1/21/2004 – UNANIMOUS with GOODMAN abstaining on Items 121, 125 and 126 because members of his law firm are in negotiations with billboard companies, which could affect him as a result

There was no discussion.

(2:10 – 2:20)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3181 - JHONNA DILLER - Request for a Special Use Permit FOR A PROPOSED CHILD CARE CENTER adjacent to the southeast corner of Rainbow Boulevard and Hammer Lane (APN: 125-35-201-018), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 127 [SUP-3181] and Item 128 [SDR-3180].

WINSTON ANDERSON, 1555 East Flamingo Road, Suite #350, appeared on behalf of the applicant and concurred with staff conditions with the exception of Condition 4 on Item 128 [SDR-3180] referring to the setback to the north along Hammer Lane. Initially, when he met with staff he had requested to have the fence directly on the property line adjacent to the playground. Staff requested that they have a 15-foot buffer on the outside of the fence or install a wrought iron fence directly on the property line. For security reasons, the applicant would like a solid fence, but would like to keep as much of the property as possible in the playground. He showed a photograph of a similar fence to be used. The applicant would like to move the solid decorative fence four feet off the property line and use intense landscaping to soften its appearance. The fence would also provide safety to the playground side of the school so that strangers are not able to approach the playground from the street side.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 127 – SUP-3181

MINUTES – Continued:

ROBERT GENZER, Director, Planning and Development Department, replied that he would have no objection to a decorative block wall being constructed along Hammer Lane. However, he objected to the idea that a four-foot wide landscape strip outside that wall would be sufficient, given the fact that there are single family residential properties to the north of this particular site. He opined that the interior landscaping, if a block wall is constructed, serves no purpose. If the Council were to allow the block wall, he recommended that a minimum 10-foot wide landscape planter be provided outside the wall.

TODD FARLOW, 240 North 19th Street, stated that the wall should be set back far enough to accommodate future trails. MR. GENZER commented that the trail requirement is 15 feet along the east side of Rainbow west of the property.

COUNCILMAN MACK asked the applicant if he accepted the revised condition regarding the 10-foot landscape planter. MR. ANDERSON replied that the wall would not go down the full length of the Hammer Lane side property line. Therefore, there will be very intense landscaping at the intersection of Rainbow Boulevard and Hammer Lane, and accepted the 10-foot landscape planter. MR. ANDERSON clarified that the request is for a daycare/school.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed for Item 127 [SUP-3181] and Item 128 [SDR-3180].

NOTE: All discussion for Item 127 [SUP-3181] and Item 128 [SDR-3180] was held under Item 127 [SUP-3181].

(4:48 – 4:55)

5-2609

CONDITIONS:

Planning and Development

1. A Site Development Plan Review application (SDR-3180) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.
2. This Special Use Permit for child care center and private school shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 127 – SUP-3181

CONDITIONS – Continued:

3. All City Code requirements and design standards of all City departments must be satisfied.
4. This business shall operate in conformance to Chapter 6 of the City of Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-3181 - PUBLIC HEARING - **SDR-3180 - JHONNA DILLER** - Request for a Site Development Plan Review FOR A PROPOSED 16,317 SQUARE FOOT SINGLE STORY CHILD CARE CENTER on 1.85 acres adjacent to the southeast corner of Rainbow Boulevard and Hammer Lane (APN: 125-35-201-018), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions and amending Condition 4 as follows:

4. A minimum 10-foot wide landscape planter shall be provided along Hammer Lane located outside the proposed wall consisting of 24-inch box trees 20 feet on center with shrubs and ground cover.

– UNANIMOUS

MINUTES:

NOTE: See Item 127 [SUP-3181] for all related discussion.

(2:31 – 2:34)

3-3620

CONDITIONS:

Planning and Development

1. A Special Use Permit (SUP-3181) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 128 – SUP-3180

CONDITIONS – Continued:

3. The applicant shall grant a 15-foot wide easement for the multi-use transportation trail along the east side of Rainbow Boulevard prior to issuance of any permits for this site.
4. A minimum 15-foot wide landscape planter shall be provided along Hammer Lane located outside the proposed wall consisting of 24-inch box trees 20 feet on center with shrubs and ground cover.
5. A minimum 8 foot wide landscape planter shall be provided along the entire south and east property lines consisting of 24 inch box trees 20 feet on center with shrubs and ground cover.
6. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
8. Mechanical and electrical equipment and any communication equipment, excluding communication towers and antennas, shall be concealed from view of Lake Mead Boulevard and neighboring properties.
8. All outdoor utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. All City Code requirements and design standards of all City departments must be satisfied.
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. The lighting shall be directed away from residential property or screened, and shall not spill over onto adjacent properties.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 128 – SUP-3180

CONDITIONS – Continued:

Public Works

13. Dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the southeast corner of Rainbow Boulevard and Hammer Lane prior to the issuance of any permits.
14. Construct all incomplete half-street improvements on Rainbow Boulevard and Hammer Lane adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Alternatively, this site may participate in the Rainbow Boulevard public improvement project for improvements on Rainbow Boulevard.
15. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
16. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
17. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 128 – SUP-3180

CONDITIONS – Continued:

for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

18. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3186 - HART AND WATTERS ON BEHALF OF Z & C MANAGEMENT, INC. - Request for a Special Use Permit FOR A SUPPER CLUB at 1401 South Rainbow Boulevard (APN: 163-03-501-022), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 11/20/2003 Planning Commission meeting Item 45

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that he is a consultant for SuperPawn, owned by his brother, STEVEN MACK. The SuperPawn is located nearby and because he has not spoken with him he does not feel this request would impact his brother's business, he feels comfortable voting.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY TOM AMICK, Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and concurred with staff conditions.

JUANITA CLARK, Charleston Neighborhood Preservation, opposed the application because this supper club will add to the many liquor serving establishments along Rainbow Boulevard. Many area residents oppose this as well.

There was no further discussion.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 129 – SUP-3186

MINUTES – Continued:

MAYOR GOODMAN declared the Public Hearing closed.

(4:55 – 4:57)

5-2984

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 and 19.20.020 for a Supper Club.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3190 - PAULA McFARLAND ON BEHALF OF JACK DESSAINTS - Request for a Special Use Permit FOR MOTOR VEHICLE SALES (USED) AND A WAIVER TO THE 25,000 SQUARE FOOT MINIMUM LOT SIZE REQUIREMENT at 35 North Mojave Road (APN: 139-36-810-004), M (Industrial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest letter from Cal-State Auto Parts, Inc.
5. Back up referenced from the 11/20/2003 Planning Commission meeting Item 42

MOTION:

REESE – APPROVED subject to conditions and amending Condition 4 as follows:

4. There may only *be* 3 vehicles displayed *under roof* at any given time.
– UNANIMOUS with WEEKLY not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

PAULA McFARLAND, 7690 Cowboy Trail, stated that 90% of the business would be Internet sales of classic vehicles and street rods in conjunction with MR. DESSAINTS at his existing business. There is room to display three vehicles and stocking of the chrome candy utilized in the street rods. The kit cars will be manufactured either in Panaca or North Miami Beach, Florida.

COUNCILMAN REESE asked where the cars would be stored. MS. McFARLAND replied that the cars will be inside for display only and no cars will be sold on the street. COUNCILMAN REESE pointed out that a classic car shows class and since only three cars will be stored inside, he approved the application. MS. McFARLAND concurred with all conditions.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 130 – SUP-3190

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(4:57 – 5:00)

5-3084

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.020 for Motor Vehicle Sales (Used) use.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All display and sales shall take place in an enclosed building
4. There may only 3 vehicles displayed on the property at any given time.
5. Vehicles displayed must meet the NRS definition of classic automobiles.
6. The installation and use of an outside public address or bell system is prohibited.
7. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
8. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
9. Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
10. Approval of this Special Use Permit constitutes approval of the waiver to the base condition requiring a minimum building gross floor area of 25,000 square feet.
11. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3210 - VERTICAL HOLDINGS COMPANY ON BEHALF OF 36 ACRE, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A DRIVE THROUGH AS PART OF A FINANCIAL INSTITUTION at 6610 North Durango Drive (APN: 125-20-710-002), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with WEEKLY not voting

NOTE: MAYOR GOODMAN clarified with DEPUTY CITY ATTORNEY BRYAN SCOTT that he did not need to abstain on these items, as they are not check cashing businesses.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 131 [SUP-3210] and Item 132 [SDR-3208].

ISHAM ATOUT, Creative Design Architecture, 2229 Maple Rose Drive, appeared on behalf of the applicant and accepted all conditions.

TODD FARLOW, 240 North 19th Street, stated that the Town Center Standards require structures to be eye pleasing and asked to see elevations for the proposed project. MR. ATOUT did not have any elevations available. ROBERT GENZER, Director, Planning and Development Department, indicated that the elevations were made part of the City Council backup.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 131 – SUP-3210

MINUTES – Continued:

COUNCILMAN MACK pointed out that the site plan is appealing and conforms to the Town Center Standards.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed for Item 131 [SUP-3210] and Item 132 [SDR-3208].

NOTE: All discussion for Item 131 [SUP-3210] and Item 132 [SDR-3208] was held under Item 131 [SUP-3210].

(5:00 – 5:05)

5-3237

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Financial Institution use and to the relevant provisions of the Montecito Town Center Development Agreement.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-3208).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-3210 - PUBLIC HEARING - **SDR-3208 - VERTICAL HOLDINGS COMPANY ON BEHALF OF 36 ACRE, LIMITED LIABILITY COMPANY** - Request for the Site Development Plan Review FOR A 4,626 SQUARE FOOT FINANCIAL INSTITUTION AND A WAIVER OF THE BUILD-TO-LINE AND 70% GLAZING STANDARDS OF THE TOWN CENTER DEVELOPMENT STANDARDS at 6610 North Durango Drive (APN: 125-20-710-002), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with WEEKLY not voting

MINUTES:

NOTE: See Item 131 [SUP-3210] for all related discussion.

(5:00 – 5:05)

5-3237

CONDITIONS:

Planning and Development

1. A Special Use Permit (SUP-3210) for a Drive-Through Facility approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 132 – SDR-3208

CONDITIONS – Continued:

4. Pursuant to the Montecito Town Center Development Agreement, development must comply with the approved Master Sign Plan for the Montecito Town Center area. Such signs must be approved by the Centennial Hills Town Center Architectural Review Committee (CHARC).
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
6. All mechanical equipment, air conditioners and trash areas shall be visually screened from the abutting streets.
7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
8. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
9. All City Code requirements and design standards of all City departments must be satisfied.
10. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

Public Works

11. If not already constructed by the Master Developer, construct the full width of the proposed driveways accessing this site and construct appropriate on-site paving to allow for two-way vehicular traffic concurrent with development of this site.
12. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
13. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 132 – SDR-3208

CONDITIONS – Continued:

14. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-76-98, the Montecito Lifestyle Center commercial subdivision and all other subsequent site-related actions

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - REZONING - PUBLIC HEARING - **ZON-2918 - TREASURE LAND DEVELOPMENT, LIMITED LIABILITY COMPANY** - Request for a Rezoning FROM: U (Undeveloped) [R (Rural Density Residential) General Plan Designation] TO: R-D (Single Family Residential - Restricted) and to allow 3.2 dwelling units per acre within a rural preservation neighborhood buffer where 3.0 units per acre is permitted on 2.8 acres adjacent to the southeast corner of Washburn Road and Maverick Street (APN: 125-35-701-001, 002 and 003), Ward 6 (Mack). The Planning Commission (5-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – Motion to ACCEPT THE WITHDRAWAL WITHOUT PREJUDICE of Item 121 [SUP-2760], Item 126 [SUP-3153], and Item 133 [ZON-2918], Item 134 [VAC-2920], and HOLD IN ABEYANCE Item 108 [SNC-3092], Item 125 [SUP-3152] to 1/7/2004; Item 142 [GPA-2966], Item 143 [ZON-2967], Item 144 [SUP-3223], and Item 145 [SDR-3224] to 1/21/2004 – UNANIMOUS with GOODMAN abstaining on Items 121, 125 and 126 because members of his law firm are in negotiations with billboard companies, which could affect him as a result

MINUTES:

COUNCILMAN MACK indicated that Item 133 [ZON-2918] was requested to be withdrawn without prejudice by the applicant. ROBERT GENZER, Director, Planning and Development Department, verified with COUNCILMAN MACK that Item 134 [VAC-2920] related to Item 133 would also be withdrawn without prejudice.

There was no further discussion.

(2:10 – 2:20)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - VACATION RELATED TO ZON-2918 - PUBLIC HEARING - VAC-2920 - TREASURE LAND DEVELOPMENT, LIMITED LIABILITY COMPANY - Request for a Petition to Vacate the south 10 feet of Washburn Road between Maverick Street and Bronco Lane, Ward 6 (Mack). The Planning Commission (6-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – Motion to ACCEPT THE WITHDRAWAL WITHOUT PREJUDICE of Item 121 [SUP-2760], Item 126 [SUP-3153], and Item 133 [ZON-2918], Item 134 [VAC-2920], and HOLD IN ABEYANCE Item 108 [SNC-3092], Item 125 [SUP-3152] to 1/7/2004; Item 142 [GPA-2966], Item 143 [ZON-2967], Item 144 [SUP-3223], and Item 145 [SDR-3224] to 1/21/2004 – UNANIMOUS with GOODMAN abstaining on Items 121, 125 and 126 because members of his law firm are in negotiations with billboard companies, which could affect him as a result

MINUTES:

COUNCILMAN MACK indicated that Item 133 [ZON-2918] was requested to be withdrawn without prejudice by the applicant. ROBERT GENZER, Director, Planning and Development Department, verified with COUNCILMAN MACK that Item 134 [VAC-2920] related to Item 133 would also be withdrawn without prejudice.

There was no further discussion.

(2:10 – 2:20)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - REZONING - PUBLIC HEARING - **ZON-3067 - BELL REAL ESTATE, LIMITED LIABILITY COMPANY** - Request for a Rezoning FROM: R-4 (HIGH DENSITY RESIDENTIAL) TO: C-2 (GENERAL COMMERCIAL) on 0.92 acres on the north side of New York Avenue, approximately 110 feet east of Industrial Road (APN: 162-04-710-002, 004, 145 and 146), Ward 1 (Moncrief). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MONCRIEF – APPROVED subject to conditions and the following added conditions:

- *There shall be a one-year review.*
- *Perimeter fence shall be decorative wrought iron on the front and chain link side and rear.*
- *Landscaping may be desert-type.*

– UNANIMOUS

MINUTES:

NOTE: A Combined Verbatim Transcript of Item 135 [ZON-3067] and Item 136 [SDR-3070] was prepared subsequent to the minutes and filed under Item 135 [SDR-3067].

MAYOR GOODMAN declared the Public Hearing open for Item 135 [ZON-3067] and Item 136 [SDR-3070].

BRENT BELL, Whittlesea Bell Transportation, stated that the land was purchased for employee parking and they plan to sublease some of the land to other businesses in need of parking. He thanked staff and COUNCILWOMAN MONCRIEF for their help.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 135 – ZON-3067

MINUTES – Continued:

SHANE MAMOON, owner of property at 200 and 208 New York Avenue confirmed with MR. BELL that the parking will be used only for employee parking. MR. MAMOON'S concern was the aesthetics of the building and its impact on his residential properties. MR. BELL replied that there would be a chain link fence on the sides and a wrought iron fence in the front with desert landscaping.

MAYOR GOODMAN asked staff if the proposed project is compatible with the adjacent residential. MARGO WHEELER, Deputy Director, Planning and Development, replied that as proposed it is not. The applicant is requesting waivers from both the landscaping and the fencing requirements. Staff's conditions are included in numbers 1 and 2 that the fence be constructed of wrought iron pursuant to the Downtown Centennial Plan and also that the landscaping be in compliance with the Downtown Centennial Plan. The chain link fence would only be allowed on the northern property line, which does not abut the public right-of-way. The project would be compatible if all the conditions are met.

TODD FARLOW, 240 North 19th Street, verified with MS. WHEELER that these items were heard before the Planning Commission on 10/24/2003.

JOHN CANE, 534 Concord Street, El Segundo, California, appeared on behalf of his mother, who owns property at 216 New York Avenue. She is concerned about the landscaping waiver and that the area is not being improved. She has done her due diligence for improving the area. In fact, when a wall surrounding her property collapsed, she replaced it with a wrought iron fence. She could have installed a chain link fence, but spent the extra money to make the wall aesthetically pleasing. MS. WHEELER commented that the project would enhance the surrounding neighborhood if all requirements are met.

COUNCILWOMAN MONCRIEF stated that MR. BELL has done a lot for this area. He has torn down five vacant buildings and spent money to remove asbestos from these buildings. She allowed the chain link fence on the sides and wrought iron decorative on the front with desert landscaping. She imposed a one-year review so that if any significant redevelopment starts, the applicant would adhere to the rest of the conditions at that time. MR. BELL concurred with COUNCILWOMAN'S comments.

ROBERT GENZER, Director, Planning and Development Department, recommended deletion of Condition 1 and Condition 4 (incorrectly referred to and numbered as Condition 3 on the conditions page of the staff report) under Item 136 [SDR-3070].

No one appeared in opposition.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 135 – ZON-3067

MINUTES – Continued:

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed for Item 135 [ZON-3067] and Item 136 [SDR-3070].

NOTE: All discussion for Item 135 [ZON-3067] and 136 [SDR-3070] was held under Item 135 [ZON-3067].

(5:05 – 5:11)

5-3395

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review (SDR-3070) application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
4. Meet with the Flood Control Section of the Department of Public Works for assistance in establishing finished floor elevations and drainage pathways required for this site, prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - **RENOTIFICATION** - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3067 - PUBLIC HEARING - **SDR-3070** - **BELL REAL ESTATE, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review and WAIVERS from the Downtown Centennial Plan parking lot screening requirements, parking lot landscaping requirements, and Title 19 perimeter wall and buffer requirements, FOR A PROPOSED PARKING LOT on 0.92 acres on the north side of New York Avenue, approximately 110 feet East of Industrial Road (APN: 162-04-710-002, 004, 145 and 146), R-4 (High Density Residential) Zone [Proposed: C-2 (General Commercial)], Ward 1 (Moncrief). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MONCRIEF – APPROVED subject to conditions and deleting Conditions 1 and 4 (incorrectly referred to and numbered as Condition 3 on the conditions page of the staff report) – **UNANIMOUS**

MINUTES:

NOTE: A Combined Verbatim Transcript of Item 135 [ZON-3067] and Item 136 [SDR-3070] was prepared subsequent to the minutes and filed under Item 135 [SDR-3067].

NOTE: See Item 135 [ZON-3067] for all related discussion.

(5:05 – 5:11)

5-3395

CONDITIONS:

Planning and Development

1. No waivers shall be granted from landscaping and buffering requirements. All buffer areas shall conform to the minimum dimensions required by Code, and all perimeter walls shall be constructed in conformance with adopted requirements.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 136 – SDR-3070

CONDITIONS – Continued:

2. The fence along the south property line shall be constructed of wrought iron, painted Black-Forest Green, and designed in conformance with Graphic 6 of the Las Vegas Downtown Centennial Plan.
3. All development shall be in conformance with the original Site Development plan as reviewed by Planning Commission, prepared by Glanville Associates and dated 3 September 2003, except as amended by conditions herein.
4. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. For non-residential developments, failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
5. A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first.
6. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development).
7. All City Code requirements and design standards of all City departments must be satisfied.
8. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
9. Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet.
10. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade.
11. Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Department of Building and Safety. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 136 – SDR-3070

CONDITIONS – Continued:

Public Works

12. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of construction drawings for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
13. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
14. Site development to comply with all applicable conditions of approval for ZON-3067 and all other site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - REZONING - PUBLIC HEARING - **ZON-3080** - **CARINA CORPORATION, ET AL** - Request for a Rezoning FROM: U (UNDEVELOPED) [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] AND R-E (RESIDENCE ESTATES) TO: R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE) on 14.01 acres north of Ann Road, west of Torrey Pines Drive (APN: 125-26-402-005 and 125-26-403-013), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with L.B. McDONALD and WEEKLY not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 137 [ZON-3080] and Item 138 [SDR-3082].

CHRIS KROFT, Wright Engineers, 7425 Peak Drive, appeared on behalf of the Carina Homes. He thanked COUNCILMAN MACK for meeting with him to discuss the concerns, and concurred with the conditions.

COUNCILMAN MACK noted that he was concerned about vacating Rebecca Road and closing it off to Ann Road for those residents that reside in the area. However, after seeing the transportation issues and the capacity of traffic at the intersection of Ann Road and US-95, it makes sense to push that traffic down to Jones Boulevard to move it along into the Beltway.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 137 – ZON-3080

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed for Item 137 [ZON-3080] and Item 138 [SDR-3082].

NOTE: All discussion for Item 137 [ZON-3080] and Item 138 [SDR-3082] took place under 137 [ZON-3080].

(5:11 – 5:12)

6-109

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application (SDR-3082) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Submit a Petition of Vacation for Rebecca Road in both City and Clark County jurisdictions for all rights-of-way in conflict with the proposed site plan. Orders of Vacation for both the City and County properties shall record concurrently and must be recorded prior to recordation of a Final Map abutting or overlying the area to be vacated, and the Final Map must show the Recorder's numbers of the Vacations.
4. Dedicate 40 feet of right-of-way for Torrey Pines Drive adjacent to this site.
5. Construct half-street improvements, including appropriate overpaving, if legally able, on Torrey Pines Drive adjacent to this site concurrent with development of this site. Also, extend a minimum of two lanes of paving from the south edge of this site on Torrey Pines Drive southward to Ann Road concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the north and south boundary of parcel 125-26-403-013 prior to construction of hard surfacing (asphalt or concrete).

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 137 – ZON-3080

CONDITIONS – Continued:

6. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 137 – ZON-3080

CONDITIONS – Continued:

such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Final Map, whichever may occur first, if allowed by the City Engineer.

9. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3080 - PUBLIC HEARING - **SDR-3082 - CARINA CORPORATION, ET AL** - Request for a Site Development Plan Review FOR A 32 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 14.01 acres north of Ann Road, west of Torrey Pines Drive (APN: 125-26-402-005 and 125-26-403-013), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] and R-E (Residence Estates) Zone [Proposed: R-PD2 (Residential Planned Development – 2 Units Per Acre)], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with L.B. McDONALD and WEEKLY not voting

MINUTES:

NOTE: See Item 137 [ZON-3080] for all related discussion.

(5:11 – 5:12)

6-109

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-3080) to a R-PD2 (Residential Planned Development – 2 Units per Acre) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 138 – ZON-3080

CONDITIONS – Continued:

3. The standards for this development shall include the following: minimum lot size of 13,000 square feet and building height shall not exceed two-stories or 35 feet, whichever is less.
4. The setbacks for this development shall be a minimum of 30 feet to the front of the house as measured from the edge of the private street, 10 feet on the side, 15 feet on the corner side, and 35 feet in the rear.
5. Guest House/Casitas shall conform to the minimum standards of Title 19.04.040.
6. The landscape plan shall reflect minimum 24-inch box trees and a minimum of four five-gallon shrubs for each tree, including groundcover within provided planters. The location and number of required trees shall match the submitted landscape plan.
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. Air conditioning units shall not be mounted on rooftops.
9. Any proposed property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
11. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
12. All City Code requirements and design standards of all City departments must be satisfied.
13. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 138 – ZON-3080

CONDITIONS – Continued:

Public Works

14. Submit a Petition of Vacation for Rebecca Road in both City and Clark County jurisdictions for all rights-of-way in conflict with the proposed site plan. Orders of Vacation for both the City and County properties shall record concurrently and must be recorded prior to recordation of a Final Map abutting or overlying the area to vacate, and the Final Map must show the Recorder's numbers of the Vacations.
15. Site development plan as shown requires relocation of the public sewer located within Rebecca Road.
16. Meet with the Traffic Engineering Representative in Land Development for assistance in redesigning the proposed driveway layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Gated access drives if proposed shall be designed, located and constructed in accordance with Standard Drawing #222a. The site plan shows the driveway on Ann Road to be an exit only, therefore it must be a pan type driveway with crash gate.
17. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
18. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-3080 and all other subsequent site-related actions.
19. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING - PUBLIC HEARING - ZON-3182 - OLYMPUS GROUP ON BEHALF OF O'BANNON-JONES, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: P-R (PROFESSIONAL OFFICES AND PARKING) on 0.72 acres adjacent to the north side of O'Bannon Drive, approximately 270 feet east of Jones Boulevard (a portion of APN: 163-01-304-013), Ward 1 (Moncrief). The Planning Commission (4-1-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

32
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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (4-1-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 11/20/2003 Planning Commission meeting Item 27

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS with L.B. McDONALD and MACK not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 139 [ZON-3182], Item 140 [VAR-3184] and Item 141 [SDR-3183].

An unidentified representative for the applicant thanked staff and concurred with the added conditions as noted by COUNCILWOMAN MONCRIEF. She requested that a double row of Evergreen trees be placed in the 30 foot wide landscape planter 20 feet on center subject to the approval by Planning and Development Department that there will be no ingress or egress on the driveway on the O'Bannon Drive side of the property, that there will be removable ballards for emergency vehicles and that the easterly side of the development abutting the residents where parking is proposed will have trees 20 feet on center. These conditions will make the neighbors happy. The applicant's representative concurred with all the added conditions.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 139 – ZON-3182

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed for Item 139 [ZON-3182], Item 140 [VAR-3184] and Item 141 [SDR-3183].

NOTE: All discussion for Item 139 [ZON-3182], Item 140 [VAR-3184] and Item 141 [SDR-3183] took place under Item 139 [ZON-3182].

(5:12 – 5:15)

6-176

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Variance application (VAR-3184) and a Site Development Plan Review application (SDR-3183) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Construct all incomplete half-street improvements on Jones Boulevard and half-street improvements on O'Bannon Drive adjacent to this site concurrent with development of this site, and extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the eastern boundary of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
4. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 139 – ZON-3182

CONDITIONS – Continued:

Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

5. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VARIANCE RELATED TO ZON-3182 - PUBLIC HEARING - **VAR-3184 - OLYMPUS GROUP ON BEHALF OF O'BANNON-JONES, LIMITED LIABILITY COMPANY** - Request for a Variance TO ALLOW A PROPOSED OFFICE BUILDING 30 FEET FROM RESIDENTIAL PROPERTY WHERE THE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A 54 FOOT SETBACK on 1.69 acres adjacent to the northeast corner of Jones Boulevard and O'Bannon Drive (APN: 163-01-304-013), R-E (Residence Estates) Zone [PROPOSED: P-R (Professional Office and Parking)] and U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 1 (Moncrief). The Planning Commission (4-1-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

32
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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (4-1-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 11/20/2003 Planning Commission meeting Item 28

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS with L.B. McDONALD and MACK not voting

MINUTES:

NOTE: See Item 139 [ZON-3182] for all related discussion.

(5:12 – 5:15)

6-176

CONDITIONS:

Planning and Development

1. A Rezoning application (ZON-3182) and a Site Development Plan Review application (SDR-3183) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 140 – VAR-3184

CONDITIONS – Continued:

2. Conformance to all Conditions of Approval for Site Development Plan Review SDR-3183.
3. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3182 AND VAR-3184 - PUBLIC HEARING - **SDR-3183 - OLYMPUS GROUP ON BEHALF OF O'BANNON-JONES, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review FOR A PROPOSED 19,200 SQUARE FOOT OFFICE DEVELOPMENT AND WAIVERS OF THE COMMERCIAL DEVELOPMENT STANDARDS TO ALLOW A 10 FOOT CORNER SIDE YARD SETBACK WHERE 15 FEET IS THE MINIMUM SETBACK REQUIRED AND FOR A REDUCTION OF THE ON-SITE LANDSCAPING on 1.69 acres adjacent to the northeast corner of Jones Boulevard and O'Bannon Drive (APN: 163-01-304-013), R-E (Residence Estates) Zone [PROPOSED: P-R (Professional Office and Parking)] and U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 1 (Moncrief). The Planning Commission (4-1-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

32
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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (4-1-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 11/20/2003 Planning Commission meeting Item 29

MOTION:

MONCRIEF – APPROVED subject to conditions and the following added conditions:

- *Install a double row of Evergreen trees in the 30-foot wide landscape planter 20 feet on center subject to the approval by Planning and Development Department.*
- *There shall be no ingress or egress on the driveway on the O'Bannon Drive side of the property and have removable bollards for emergency vehicles.*
- *Install trees 20-feet on center on the easterly side of the development within the 10-foot landscape planter abutting the residents where parking is proposed.*

– **UNANIMOUS** with L.B. McDONALD and MACK not voting

MINUTES:

NOTE: See Item 139 [ZON-3182] for all related discussion.

(5:12 – 5:15)

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 141 – SDR-3183

CONDITIONS:

Planning and Development

1. A Rezoning application (ZON-3182) and a Variance application (VAR-3184) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. Vehicular access to O'Bannon Drive shall be prohibited. A revised Site Plan showing the elimination of the driveway to O'Bannon Drive shall be submitted to the Planning and Development Department prior to the issuance of any permits for this site.
4. A minimum of one tree for every six parking spaces in minimum 5 foot wide planters in remaining parking lot area shall be provided except for the spaces that are covered.
5. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
7. Mechanical and electrical equipment and any communication equipment, excluding communication towers and antennas, shall be concealed from view of all abutting properties.
8. All outdoor utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. All City Code requirements and design standards of all City departments must be satisfied.
10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. The lighting shall be directed away from residential property or screened, and shall not spill over onto adjacent properties.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 141 – SDR-3183

CONDITIONS:

Public Works

12. Submit a plan for approval by the City Engineer depicting the relocation of the existing public sewer line crossing this site prior to the submittal of construction drawings. A petition of vacation for the existing public sewer easement must be submitted and approved, and new easements granted prior to the approval of construction drawings, and the Order of Vacation shall record prior to the issuance of building permits.
13. Submit a plan for approval by the City Engineer depicting the relocation of the existing public drainage facility crossing this site prior to the submittal of construction drawings. This petition of vacation may be combined with the required public sewer easement vacation, as well as any patent easements that may exist.
14. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a. A minimum throat depth of 65-feet is required along the ingress side of the driveway adjacent to Jones Boulevard.
15. Provide a copy of a recorded Joint Access and Parking Agreement between this site and the adjoining parcel to the north prior to the issuance of any permits.
16. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
17. Site development to comply with all applicable conditions of approval for ZON-3182 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT - PUBLIC HEARING - **GPA-2966 - HECTOR AND MARITZA CAMACHO** - Request to amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (SERVICE COMMERCIAL) TO: GC (GENERAL COMMERCIAL) on 3.41 acres adjacent to the southeast corner of Bonanza Road and Page Street (APN: 140-32-114-045), Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

10
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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report
4. Submitted after final agenda – Protest letter from Christy L. Connor for Items 142, 143, 144 & 145 filed under Item 142
5. Back up referenced from the 11/20/2003 Planning Commission meeting Item 4

MOTION:

REESE – Motion to ACCEPT THE WITHDRAWAL WITHOUT PREJUDICE of Item 121 [SUP-2760], Item 126 [SUP-3153], and Item 133 [ZON-2918], Item 134 [VAC-2920], and HOLD IN ABEYANCE Item 108 [SNC-3092], Item 125 [SUP-3152] to 1/7/2004; Item 142 [GPA-2966], Item 143 [ZON-2967], Item 144 [SUP-3223], and Item 145 [SDR-3224] to 1/21/2004 – UNANIMOUS with GOODMAN abstaining on Items 121, 125 and 126 because members of his law firm are in negotiations with billboard companies, which could affect him as a result

There was no discussion.

(2:10 – 2:20)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING RELATED TO GPA-2966 - PUBLIC HEARING - **ZON-2967 - HECTOR AND MARITZA CAMACHO** - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) under Resolution of Intent to O (OFFICE) AND C-1 (LIMITED COMMERCIAL) TO: C-2 (GENERAL COMMERCIAL) on 3.41 acres adjacent to the southeast corner of Bonanza Road and Page Street (APN: 140-32-114-045), Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest letter from Christy L. Connor for Items 142, 143, 144 & 145 filed under Item 142
5. Back up referenced from the 11/20/2003 Planning Commission meeting Item 5

MOTION:

REESE – Motion to ACCEPT THE WITHDRAWAL WITHOUT PREJUDICE of Item 121 [SUP-2760], Item 126 [SUP-3153], and Item 133 [ZON-2918], Item 134 [VAC-2920], and HOLD IN ABEYANCE Item 108 [SNC-3092], Item 125 [SUP-3152] to 1/7/2004; Item 142 [GPA-2966], Item 143 [ZON-2967], Item 144 [SUP-3223], and Item 145 [SDR-3224] to 1/21/2004 – UNANIMOUS with GOODMAN abstaining on Items 121, 125 and 126 because members of his law firm are in negotiations with billboard companies, which could affect him as a result

There was no discussion.

(2:10 – 2:20)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT RELATED TO GPA-2966 AND ZON-2967 - PUBLIC HEARING - **SUP-3223 - HECTOR AND MARITZA CAMACHO** - Request for a Special Use Permit FOR AN AUTO REPAIR GARAGE (MAJOR) adjacent to the southeast corner of Page Street and Bonanza Road (APN: 140-32-114-045), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) and R-E (Residence Estates) under Resolution of Intent to O (Office) [PROPOSED: C-2 (General Commercial)], Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest letter from Christy L. Connor for Items 142, 143, 144 & 145 filed under Item 142

MOTION:

REESE – Motion to ACCEPT THE WITHDRAWAL WITHOUT PREJUDICE of Item 121 [SUP-2760], Item 126 [SUP-3153], and Item 133 [ZON-2918], Item 134 [VAC-2920], and HOLD IN ABEYANCE Item 108 [SNC-3092], Item 125 [SUP-3152] to 1/7/2004; Item 142 [GPA-2966], Item 143 [ZON-2967], Item 144 [SUP-3223], and Item 145 [SDR-3224] to 1/21/2004 – UNANIMOUS with GOODMAN abstaining on Items 121, 125 and 126 because members of his law firm are in negotiations with billboard companies, which could affect him as a result

There was no discussion.

(2:10 – 2:20)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-2966 AND ZON-2967 - PUBLIC HEARING - **SDR-3224 - HECTOR AND MARITZA CAMACHO** - Request for a Site Development Plan Review FOR AN AUTO REPAIR GARAGE (MAJOR) AND A PROPOSED SELF SERVE CAR WASH AND A WAIVER OF THE PERIMETER AND PARKING LOT LANDSCAPING REQUIREMENTS on 3.41 acres adjacent to the southeast corner of Page Street and Bonanza Road (APN: 140-32-114-045), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) and R-E (Residence Estates) under Resolution of Intent to O (Office) [PROPOSED: C-2 (General Commercial)], Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

7
0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest letter from Christy L. Connor for Items 142, 143, 144 & 145 filed under Item 142

MOTION:

REESE – Motion to ACCEPT THE WITHDRAWAL WITHOUT PREJUDICE of Item 121 [SUP-2760], Item 126 [SUP-3153], and Item 133 [ZON-2918], Item 134 [VAC-2920], and HOLD IN ABEYANCE Item 108 [SNC-3092], Item 125 [SUP-3152] to 1/7/2004; Item 142 [GPA-2966], Item 143 [ZON-2967], Item 144 [SUP-3223], and Item 145 [SDR-3224] to 1/21/2004 – UNANIMOUS with GOODMAN abstaining on Items 121, 125 and 126 because members of his law firm are in negotiations with billboard companies, which could affect him as a result

There was no discussion.

(2:10 – 2:20)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-3066 - D.R. HORTON, INC. ON BEHALF ROBERT J. WUESTE FAMILY, LIMITED PARTNERSHIP - Request to amend Map 4 of the Centennial Hills Sector Plan FROM: EC-TC (EMPLOYMENT CENTER MIXED-USE-TOWN CENTER) TO: ML-TC (MEDIUM-LOW RESIDENTIAL-TOWN CENTER) on 25.68 acres adjacent to the northwest corner of Gilcrease Avenue and Fort Apache Road (APN: 125-18-501-004, 005, 010, 011, 012 and 013), Ward 6 (Mack). The Planning Commission (3-2-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (3-2-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report

MOTION:

MACK – APPROVED – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 146 [GPA-3066], Item 147 [ZON-3071], Item 148 [SUP-3073] and Item 149 [SDR-3079].

JEFF ANDERSON, D.R. Horton Homes, 3513 East Russell Road, stated that the proposed single-story gated residential development is located at the north end of Town Center Drive. There is existing residential in this area, and he believes that this project will fit with the character of the neighborhood.

TODD FARLOW, 240 North 19th Street, indicated that during a lecture at the Sustainable Architecture seminars held at UNLV statements were made that gated communities and cul-de-sacs are contradictory to each other. The original Town Center concept requiring retail on the bottom and residential on the top level is not being adhered to. He does not support gated communities.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 146 – GPA-3066

MINUTES – Continued:

COUNCILMAN MACK pointed out that the characteristics in Town Center have changed in the Town Center area and many new commercial developments have come to fruition. The Kyle Canyon gateway will also add a commercial element. The Employment Center Mixed Use is appropriate with the adjacent residential communities abutting this area, as well as the character of the surrounding area.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed for Item 146 [GPA-3066], Item 147 [ZON-3071], Item 148 [SUP-3073] and Item 149 [SDR-3079].

NOTE: All discussion for Item 146 [GPA-3066], Item 147 [ZON-3071], Item 148 [SUP-3073] and Item 149 [SDR-3079] took place under Item 146 [GPA-3066].

(5:15 – 5:33)

6-278

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - REZONING RELATED TO GPA-3066 - PUBLIC HEARING - ZON-3071 - D.R. HORTON, INC. ON BEHALF ROBERT J. WUESTE FAMILY, LIMITED PARTNERSHIP - Request for a Rezoning FROM: U (UNDEVELOPED) [EC-TC (EMPLOYMENT CENTER MIXED-USE-TOWN CENTER) GENERAL PLAN DESIGNATION] TO: T-C (TOWN CENTER) on 25.68 acres adjacent to the northwest corner of Gilcrease Avenue and Fort Apache Road (APN: 125-18-501-004, 005, 010, 011, 012 and 013), Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****1****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 146 [GPA-3066] for all related discussion.

(2:31 – 2:34)

3-3620

CONDITIONS:

Planning and Development

1. A Site Development Plan Review application shall be approved by the Planning Commission and City Council prior to approval of a Tentative Map, issuance of any permits, any site grading, and all development activity for the site.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 147 – ZON-3071

CONDITIONS – Continued:

Public Works

2. Submit a Petition of Vacation for Chieftain Street and Jo Marcy Drive for all rights-of-way in conflict with the proposed site plan. The Orders of Vacation must be recorded prior to recordation of a Final Map abutting or overlying the area to be vacated. Provide a plan for approval by the City Engineer indicating how legal access will be provided to Assessor's Parcel Number 125-18-501-010 prior to Recordation of an Order of Vacation. All parcel access issues shall be resolved prior to recordation of an Order of Vacation.
3. Dedicate an additional 10 feet of right-of-way for a total half-street width of 40 feet on Gilcrease Avenue and an additional 29 feet for a total 54 foot radius on the northwest corner of Fort Apache Road and Gilcrease Avenue adjacent to this site. Additional dedications in accordance with Standard Drawing #201.1 shall also be provided unless specifically not required in the approved Traffic Impact Analysis or alternative.
4. Construct half-street improvements, including appropriate overpaving if legally able, on Gilcrease Avenue, Fort Apache Road and Grand Teton Drive adjacent to this site concurrent with development of this site. Also, extend a minimum of two lanes of paving in the Fort Apache Road alignment from the north edge of permanent improvements northward to Grand Teton Drive adjacent to APN 125-18-501-006 and extend two lanes of paving in the Grand Teton Drive alignment from the east edge of permanent improvements eastward to Fort Apache Road adjacent to APN 125-18-501-006, if legally able, concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the north, east, south and west boundaries of this site as necessary, prior to construction of hard surfacing (asphalt or concrete).
5. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site. Comply with the

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 147 – ZON-3071

CONDITIONS – Continued:

recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Final Map, whichever may occur first, if allowed by the City Engineer.
8. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO GPA-3066 AND ZON-3071 - PUBLIC HEARING - **SUP-3073 - D.R. HORTON, INC. ON BEHALF ROBERT J. WUESTE FAMILY, LIMITED PARTNERSHIP** - Request for a Special Use Permit FOR A GATED SUBDIVISION WITH PRIVATE STREETS WITHIN TOWN CENTER adjacent to the northwest corner of Gilcrease Avenue and Fort Apache Road (APN: 125-18-501-004, 005, 010, 011, 012 and 013), U (Undeveloped) Zone [EC-TC (Employment Center Mixed-Use - Town Center) General Plan Designation] [Proposed: ML-TC (Medium-Low Residential - Town Center) General Plan Designation], Ward 6 (Mack). The Planning Commission (3-2-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1
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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (3-2-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 146 [GPA-3066] for all related discussion.

(2:31 – 2:34)

3-3620

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-3071), and Site Development Plan Review (SDR-3079) and all other subsequent site-related actions.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 148 – SUP-3073

CONDITIONS – Continued:

3. The private streets shall be subject to Title 19.04.050(B) for Private Streets and to Section E.G. of the Town Center Development Standards Manual.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Consideration must be given to previously approved grading plans and drainage studies, where such plans exist, to assure minimum impact to existing and future developments in the surrounding area.

Public Works

6. Private streets shall be identified as “Public Sewer and Public Drainage Easements to be privately maintained”.
7. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-3071 and Site Development Plan Review SDR-3079 and all other subsequent site-related actions.
8. A Homeowner's Association shall be established to maintain all private roadways and common areas created with this development.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3066, ZON-3071 AND SUP-3073 - PUBLIC HEARING - **SDR-3079 - D.R. HORTON, INC. ON BEHALF ROBERT J. WUESTE FAMILY, LIMITED PARTNERSHIP** - Request for a Site Development Plan Review FOR A PROPOSED 195 UNIT SINGLE FAMILY CLUSTER DEVELOPMENT on 25.68 acres adjacent to the northwest corner of Gilcrease Avenue and Fort Apache Road (APN: 125-18-501-004, 005, 010, 011, 012 and 013), U (Undeveloped) Zone [EC-TC (Employment Center Mixed-Use - Town Center) General Plan Designation] [Proposed: ML-TC (Medium-Low Residential - Town Center) General Plan Designation], Ward 6 (Mack). The Planning Commission (3-2-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1
0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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0

RECOMMENDATION:

The Planning Commission (3-2-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 146 [GPA-3066] for all related discussion.

(2:31 – 2:34)

3-3620

CONDITIONS:

Planning and Development

1. Approval of General Plan Amendment (GPA-3066) to designate this site as ML-TC (Medium Low Density Residential – Town Center).
2. A Rezoning (ZON-3071) to the T-C (Town Center) Zoning District approved by the City Council.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 149 – SDR-3079

CONDITIONS – Continued:

3. A Special Use Permit (SUP-3073) to allow a gated community with private streets.
4. A revised landscape plan must be submitted prior to the approval of a Final Map depicting perimeter landscaping in conformance the Town Center Development Standards.
5. Perimeter walls along Fort Apache Road, Grand Teton Drive, and Gilcrease Avenue must be constructed in conformance with the Town Center Development Standards. The total height of these walls, including the retaining portion, must not exceed eight feet from the lowest grade.
6. Trails along Fort Apache Road, Grand Teton Drive, and Gilcrease Avenue must be constructed in conformance with the Master Plan Transportation Trails Element.
7. The setbacks to the garage shall be 18 feet or greater or five feet or less.

Public Works

8. Submit a Petition of Vacation for Chieftain Street and Jo Marcy Drive for all rights-of-way in conflict with the proposed site plan. The Orders of Vacation must be recorded prior to recordation of a Final Map abutting or overlying the area to be vacated. Provide a plan for approval by the City Engineer indicating how legal access will be provided to Assessor's Parcel Number 125-18-501-010 prior to Recordation of an Order of Vacation. All parcel access issues shall be resolved prior to recordation of an Order of Vacation.
9. Landscape and maintain all unimproved right-of-way adjacent to this site.
10. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site.
11. Provide public sewers within each cluster to allow for separate service laterals to each property.
12. Meet with the Traffic Engineering Representative in Land Development for assistance in redesigning the proposed driveway layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Gated access drives if proposed shall be designed, located and constructed in accordance with Standard Drawing #222a.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 149 – SDR-3079

CONDITIONS – Continued:

13. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
14. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services. We note that there have been concerns regarding terminations along “E” Street and “F” Street.
15. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-3071 and all other subsequent site-related actions.
16. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

NOT TO BE HEARD BEFORE 4:00 P.M. - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-2993 - MOLASKY COMPANIES ON BEHALF OF WILLIAM L. CULLINGS AND THE SCHNEIDER FAMILY TRUST - Request to amend a portion of the Southwest Sector Plan of the General Plan FROM: DR (DESERT RURAL) TO: O (OFFICE) on 4.26 acres adjacent to the northeast and southeast corners of Buffalo Drive and Del Rey Avenue (APN: 163-03-101-002 and 003), Ward 1 (Moncrief). **(NOTE: This application is for the two lots on the northeast corner only.)** The Planning Commission (3-1-2 vote on a motion for approval) failed to obtain a super majority vote, which is tantamount to DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1031
1265

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3
0

RECOMMENDATION:

The Planning Commission (3-1-2 vote on a motion for approval) failed to obtain a super majority vote, which is tantamount to DENIAL. Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Submitted after final agenda – Protest petition with 1,265 signatures (Note: verification of known duplicates cannot be ascertained) for Items 150, 151, 152 & 153 filed under Item 150
5. Back up referenced from the 11/20/2003 Planning Commission meeting Item 8
6. Submitted at City Council – Exhibits in support submitted by Attorney Mark Fiorentino
7. Submitted after City Council – Hot topics sheets from the City Council office
8. Submitted after meeting: Petitions of Protest with 56 signatures (Note: verification of known duplicates cannot be ascertained) for Items 150, 151, 152 & 153 (attached to Item 150 [GPA-2993])

MOTION:

MACK – APPROVED – Motion carried with GOODMAN, REESE and MONCRIEF voting No

NOTE: A previous motion for denial by MONCRIEF failed with GOODMAN, REESE and MONCRIEF voting Yes and BROWN, L.B. McDONALD, MACK and WEEKLY voting No.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 150 – GPA-2993

MINUTES – Continued:

NOTE: COUNCILWOMAN MONCRIEF disclosed that Items 150 through 153 all relate to a parcel of land which lies within the Ward 1 neighborhood in which she lives. Her home is approximately one quarter of a mile from this site. She was advised by the City Attorney and believes that there is nothing that prevents her participation. The Ethics Code and Statute warns against participation when her financial interest would be at stake and those financial interests are different than those of any larger group of the interested persons. She has no evidence that this project would have any effect upon the market value of her property, therefore she has no financial interest in the results of this vote. Further, she believes that any noise, light or traffic created by the project would not affect her life nor would the completed structure even be visible from her property. Accordingly, the benefit or the detriment to her, which could result from this decision, is no greater than it is for any other member of the larger group of Ward 1 residents interested in the quality of development in this neighborhood. Therefore, she would participate in the decisions of these items.

NOTE: MAYOR GOODMAN disclosed that he and MR. MOLASKY have been friends for many years. MR. MOLASKY has been instrumental in the downtown redevelopment efforts and he will be developing the IRS building on a piece of property adjacent to the 61 acres that the City has acquired. However, this would not affect his vote, and therefore he will vote on all items.

MINUTES:

NOTE: A Combined Verbatim Transcript of Item 150 [GPA-2993], Item 151 [ZON-3176], Item 152 [VAC-3178], and Item 153 [SDR-3177] is made a part of the Final Minutes under Item 150 [GPA-2993].

MAYOR GOODMAN declared the Public Hearing open.

APPEARANCES:

OSCAR B. GOODMAN, Mayor

JANET MONCRIEF, Councilwoman

MARK FIORENTINO, Attorney, Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway

ERWIN MOLASKY, 3111 South Maryland Parkway

GARY REESE, Councilman

BART ANDERSON, Public Works Department

LYNETTE BOGGS McDONALD, Councilwoman

ROBERT GENZER, Director, Planning and Development Department

MARK ADAIR, 1401 Marbella Ridge Court

MARY GREEN, 1870 Black Water Court

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 150 – GPA-2993

MINUTES – Continued:

APPEARANCES – Continued:

PENELOPE LOHR, 1410 South Tenaya Way
WILLIAM LEONARD, 1700 Charles Lamb Court
GARN MABEY, 1404 Silver Oak Street
CAROLYN STONE, 1509 Ten Palms Court
LYN MALONEY, 1632 Marbella Ridge Court
MICHAEL BELL, 7425 Oak Grove Avenue
LARRY ANSPACH, 1509 Golden Grove Avenue
BARBARA CEGASVKE, 6465 Laredo Street
LEE FAIR, 1600 Charles Lamb Court
DON DAVIDSON, 2211 North Rampart Boulevard, #105
TODD FARLOW, 240 North 19th Street
WILLIAM McCURDY
JO KEILLY, 8105 Via Del Cerro Court
GARY HUNTER, Pastor, Greater Saint James Baptist Church
INGEBORG LEVY, 2445 South Tenaya Way
MARIE BROWN, 453 North 11th Street
JORINA GARETTO, 1500 Ten Palms Court
LOUIE OVERSTREET, 3120 Blue Monico Road
DAVID BERSTRUM, 2211 South Tenaya Way
CAROLINE NICHOLS, 2525 West Washington Avenue
TOM RICHNER, 3718 Richard Allen Court
RAYMOND BUTLER, 2525 West Washington Avenue
ZEL MESSICK, 1831 Pablo Court
KAREN GLASIK, 1401 Marbella Ridge Court
STEVEN “CAPTAIN TRUTH” DEMPSEY
ANDRES RAMIREZ, 4001 China Cloud Drive
ROBERT WELLS, 8109 Meantmore Avenue
LARRY BROWN, Councilman
MICHAEL MACK, Councilman
JENNIFER LAZOVICH, Attorney, Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway
LAWRENCE WEEKLY, Councilman
BARBARA JO RONEMUS, City Clerk
UNIDENTIFIED MALE SPEAKER
UNIDENTIFIED FEMALE SPEAKER

MAYOR GOODMAN declared the Public Hearing closed.

(5:33 – 8:22)

6-479/7-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NOT TO BE HEARD BEFORE 4:00 P.M. - REZONING RELATED TO GPA-2993 - PUBLIC HEARING - ZON-3176 - PH SSA, LIMITED LIABILITY COMPANY ON BEHALF OF WILLIAM L. CULLINGS AND THE SCHNEIDER FAMILY TRUST - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: O (OFFICE) on 4.26 acres adjacent to the northeast corner of Buffalo Drive and Del Rey Avenue (APN: 163-03-101-002 and 003), Ward 1 (Moncrief). The Planning Commission (3-1-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1016
1265

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2
0

RECOMMENDATION:

The Planning Commission (3-1-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest petition with 1,265 signatures (Note: verification of known duplicates cannot be ascertained) for Items 150, 151, 152 & 153 filed under Item 150
5. Back up referenced from the 11/20/2003 Planning Commission meeting Item 9
6. Submitted after meeting: Petitions of Protest with 56 signatures (Note: verification of known duplicates cannot be ascertained) for Items 150, 151, 152 & 153 (attached to Item 150 [GPA-2993])

MOTION:

MACK – APPROVED – Motion carried with GOODMAN, REESE and MONCRIEF voting No

NOTE: A previous motion for denial by MONCRIEF failed with GOODMAN, REESE and MONCRIEF voting Yes and BROWN, L.B. McDONALD, MACK and WEEKLY voting No.

NOTE: COUNCILWOMAN MONCRIEF disclosed that Items 150 through 153 all relate to a parcel of land which lies within the Ward 1 neighborhood in which she lives. Her home is approximately one quarter of a mile from this site. She was advised by the City Attorney and believes that there is nothing that prevents her participation. The Ethics Code and Statute warns against participation when her financial interest would be at stake and those financial interests

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 151 – ZON-3176

MINUTES – Continued:

are different than those of any larger group of the interested persons. She has no evidence that this project would have any effect upon the market value of her property, therefore she has no financial interest in the results of this vote. Further, she believes that any noise, light or traffic created by the project would not affect her life nor would the completed structure even be visible from her property. Accordingly, the benefit or the detriment to her, which could result from this decision, is no greater than it is for any other member of the larger group of Ward 1 residents interested in the quality or development in this neighborhood. Therefore, she would participate in the decisions of these items.

NOTE: MAYOR GOODMAN disclosed that he and MR. MOLASKY have been friends for many years. MR. MOLASKY has been instrumental in the downtown redevelopment efforts and he will be developing the IRS building on a piece of property adjacent to the 61 acres that the City has acquired. However, this would not affect his vote, and therefore he will vote on all items.

MINUTES:

NOTE: A Combined Verbatim Transcript of Item 150 [GPA-2993], Item 151 [ZON-3176], Item 152 [VAC-3178], and Item 153 [SDR-3177] is made a part of the Final Minutes under Item 150 [GPA-2993].

(5:33 – 8:22)

6-479/7-1

CONDITIONS:**Planning and Development**

1. Approval of a General Plan Amendment (GPA-2993) of the Southwest Sector Land Use Plan to change the Land Use Designation from: DR (Desert Rural) to O (Office) by the City Council.
2. A Site Development Plan Review application (SDR-3177) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. A Reversionary Map for the purpose of eliminating the existing lot line bisecting this proposed development shall be recorded prior to the issuance of any permits for this site unless otherwise allowed by the Building Department.
4. Construct half-street improvements including appropriate overpaving on Del Rey Avenue adjacent to this site concurrent with development of this site, unless Del Rey Avenue is

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 151 – ZON-3176

CONDITIONS – Continued:

- properly vacated prior to commencement of development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. If Del Rey Avenue is vacated this site shall be responsible to terminate Del Rey Avenue in a manner acceptable to the City Engineer.
5. Remove all substandard public street improvements and unused driveway cuts, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
 6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
 7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site,

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 151 – ZON-3176

CONDITIONS – Continued:

whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

NOT TO BE HEARD BEFORE 4:00 P.M. - VACATION RELATED TO GPA-2993 AND ZON-3176 - PUBLIC HEARING - VAC-3178 - PH SSA, LIMITED LIABILITY COMPANY ON BEHALF OF WILLIAM L. CULLINGS - Request for a Petition to vacate Holmby Avenue, generally located east of Buffalo Drive, between Charleston Boulevard and Del Rey Avenue, Ward 1 (Moncrief). The Planning Commission (3-1-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

25
1265

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1
0

RECOMMENDATION:

The Planning Commission (3-1-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest petition with 1,265 signatures (Note: verification of known duplicates cannot be ascertained) for Items 150, 151, 152 & 153 filed under Item 150
5. Back up referenced from the 11/20/2003 Planning Commission meeting Item 10
6. Submitted after meeting: Petitions of Protest with 56 signatures (Note: verification of known duplicates cannot be ascertained) for Items 150, 151, 152 & 153 (attached to Item 150 [GPA-2993])

MOTION:

MACK – APPROVED – Motion carried with GOODMAN, REESE and MONCRIEF voting No

NOTE: A previous motion for denial by MONCRIEF failed with GOODMAN, REESE and MONCRIEF voting Yes and BROWN, L.B. McDONALD, MACK and WEEKLY voting No.

NOTE: COUNCILWOMAN MONCRIEF disclosed that Items 150 through 153 all relate to a parcel of land which lies within the Ward 1 neighborhood in which she lives. Her home is approximately one quarter of a mile from this site. She was advised by the City Attorney and believes that there is nothing that prevents her participation. The Ethics Code and Statute warns against participation when her financial interest would be at stake and those financial interests are different than those of any larger group of the interested persons. She has no evidence that

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 152 – VAC-3178

MINUTES – Continued:

this project would have any effect upon the market value of her property, therefore she has no financial interest in the results of this vote. Further, she believes that any noise, light or traffic created by the project would not affect her life nor would the completed structure even be visible from her property. Accordingly, the benefit or the detriment to her, which could result from this decision, is no greater than it is for any other member of the larger group of Ward 1 residents interested in the quality or development in this neighborhood. Therefore, she would participate in the decisions of these items.

NOTE: MAYOR GOODMAN disclosed that he and MR. MOLASKY have been friends for many years. MR. MOLASKY has been instrumental in the downtown redevelopment efforts and he will be developing the IRS building on a piece of property adjacent to the 61 acres that the City has acquired. However, this would not affect his vote, and therefore he will vote on all items.

MINUTES:

NOTE: A Combined Verbatim Transcript of Item 150 [GPA-2993], Item 151 [ZON-3176], Item 152 [VAC-3178], and Item 153 [SDR-3177] is made a part of the Final Minutes under Item 150 [GPA-2993].

(5:33 – 8:22)

6-479/7-1

CONDITIONS:

1. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by Rezoning Application ZON-3176 may be used to satisfy this condition provided that it covers the area to be vacated.
2. Prior to the recordation of an Order of Vacation all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.
3. All development shall be in conformance with code requirements and design standards of all City departments.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 152 – VAC-3178

CONDITIONS – Continued:

4. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

NOT TO BE HEARD BEFORE 4:00 P.M. - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-2993, ZON-3176 AND VAC-3178 - PUBLIC HEARING - **SDR-3177 - PH SSA, LIMITED LIABILITY COMPANY ON BEHALF OF WILLIAM L. CULLINGS AND THE SCHNEIDER FAMILY TRUST** - Request for a Site Development Plan Review and a Waiver of the Commercial Development Standards FOR REFLECTIVE GLASS IN CONJUNCTION WITH A PROPOSED 42,500 SQUARE FOOT OFFICE AND RETAIL BUILDING on 4.26 acres adjacent to the northeast corner of Buffalo Drive and Del Rey Avenue (APN: 163-03-101-002 and 003), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 1 (Moncrief). The Planning Commission (3-1-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1015
1265

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2
0

RECOMMENDATION:

The Planning Commission (3-1-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest petition with 1,265 signatures (Note: verification of known duplicates cannot be ascertained) for Items 150, 151, 152 & 153 filed under Item 150
5. Back up referenced from the 11/20/2003 Planning Commission meeting Item 11
6. Submitted after meeting: Petitions of Protest with 56 signatures (Note: verification of known duplicates cannot be ascertained) for Items 150, 151, 152 & 153 (attached to Item 150 [GPA-2993])

MOTION:

MACK – APPROVED subject to conditions and the following added condition:

- *Install a fence around the property with gates and provide security to be determined by the Planning and Development Department.*

– Motion carried with GOODMAN, REESE and MONCRIEF voting No

NOTE: A previous motion for denial by MONCRIEF failed with GOODMAN, REESE and MONCRIEF voting Yes and BROWN, L.B. McDONALD, MACK and WEEKLY voting No.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 153 – SDT-3177

MINUTES – Continued:

NOTE: COUNCILWOMAN MONCRIEF disclosed that Items 150 through 153 all relate to a parcel of land which lies within the Ward 1 neighborhood in which she lives. Her home is approximately one quarter of a mile from this site. She was advised by the City Attorney and believes that there is nothing that prevents her participation. The Ethics Code and Statute warns against participation when her financial interest would be at stake and those financial interests are different than those of any larger group of the interested persons. She has no evidence that this project would have any effect upon the market value of her property, therefore she has no financial interest in the results of this vote. Further, she believes that any noise, light or traffic created by the project would not affect her life nor would the completed structure even be visible from her property. Accordingly, the benefit or the detriment to her, which could result from this decision, is no greater than it is for any other member of the larger group of Ward 1 residents interested in the quality or development in this neighborhood. Therefore, she would participate in the decisions of these items.

NOTE: MAYOR GOODMAN disclosed that he and MR. MOLASKY have been friends for many years. MR. MOLASKY has been instrumental in the downtown redevelopment efforts and he will be developing the IRS building on a piece of property adjacent to the 61 acres that the City has acquired. However, this would not affect his vote, and therefore he will vote on all items.

MINUTES:

NOTE: A Combined Verbatim Transcript of Item 150 [GPA-2993], Item 151 [ZON-3176], Item 152 [VAC-3178], and Item 153 [SDR-3177] is made a part of the Final Minutes under Item 150 [GPA-2993].

(5:33 – 8:22)
6-479/7-1

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. The trash enclosure shall be covered and screened as required by the Commercial Design Standards
3. A waiver allowing the use of reflective glass is approved.
4. All development shall be in conformance with the site plan and building elevations.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 153 – SDT-3177

CONDITIONS – Continued:

5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
6. All mechanical equipment and air conditioners shall be fully screened in views from the abutting streets.
7. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. All City Code requirements and design standards of all City departments must be satisfied.
11. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
12. Vacation of Del Rey Avenue shall record prior to the issuance of building permits for the building.
13. The hours of operation for the accessory retail use shall be limited to that of the primary use.
14. The amount of retail space shall be limited to 3,500 square feet of which only 2,000 square feet may be restaurant.

Public Works

15. Petition of Vacation VAC-3178 shall record prior to the issuance of any building permits for improvements abutting or overlying the area to be vacated unless otherwise allowed by the City Engineer.

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Item 153 – SDT-3177

CONDITIONS – Continued:

16. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
17. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
18. Site development to comply with all applicable conditions of approval for ZON-3176 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

DB 4550 E. WASHINGTON AVE, DB 802 STEWART AVE, DB 2208 FAIRFIELD AVE, SUP-3144, SUP-3277, SUP-3254, SUP-3268, SUP-3269, SUP-3237, SUP-3266, VAC-3056, VAC-3255, VAC-3264, VAC-3282, VAR-3291, VAR-3350 and VAR-3236 – 1/7/2004 AGENDA

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

ADDENDUM:

None.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 17, 2003

CITIZENS PARTICIPATION:

Items raised under this portion of the City Council Agenda cannot be deliberated or acted upon until the notice provisions of the Open Meeting Law have been met. If you wish to speak on a matter not listed on the agenda, please step up to the podium and clearly state your name and address. In consideration of others, avoid repetition, and limit your comments to no more than three (3) minutes. To ensure all persons equal opportunity to speak, each subject matter will be limited to ten (10) minutes.

MINUTES:

TODD FARLOW, 240 North 19th Street, stated he was issued a \$20.00 parking ticket while conducting business at 520 South 4th Street. He asked that additional parking spaces be made available near this facility.

(8:22 – 8:23)

7-3676

STEVEN “CAPTAIN TRUTH” DEMPSEY indicated that the County Commission revoked the liquor license for a topless bar in the County. He once again indicated that a dangerous situation exists at the Crazy Horse II. He showed pictures of people slumped against the building and MR. DEMPSEY believes that the individual was beaten.

(8:23 – 8:27)

8-63

ALMA RAMIREZ, 655 South Flower Street, Los Angeles, California, 90017, commended ROCIO SOLORZANO, City employee, City Manager’s Office, who was polite, tactful, respectful, cordial and most informative. She was very impressed with MS. SOLORZANO and thanked the person who hired her. MS. RAMIREZ indicated that while on bus route 204 heading eastbound on Sahara Avenue, she encountered an unpleasant and rude African American female bus driver who told her to toss her drink. When she tossed her drink, which was sealed, it accidentally hit another African American female, who began a small argument. As a result, MS. RAMIREZ was assaulted and battered on the bus. The female bus driver threatened MS. RAMIREZ while the other female was attacking her. A male passenger tried to prevent the female passenger from hitting MS. RAMIREZ, but to no avail. A riot could have started on the bus. She tried to quell the situation, but the bus driver threatened to call the police, which MS. RAMIREZ would have welcomed so she could file an assault and battery report. However, the police were never called and when the bus stopped, JOHN THEODORE, Bus Supervisor was at

City of Las Vegas

CITY COUNCIL MEETING OF DECEMBER 17, 2003
Planning and Development Department
Citizen Participation

MINUTES – Continued:

the scene, but did not assist MS. RAMIREZ nor call the police. MS. RAMIREZ then decided to call the police from a Texaco gas station where she encountered two rude and hostile police officers, DARREN DARRYL, Badge #5731 and TERRY ROBERTS, Badge #5802. Tension is high between the African Americans and the Mexicans and this was not a pleasant visit for her. She will post this incident on her website, www.anaheiminjustice.com and www.orangecountyinjustice.com. She will also bring it to the attention of MAYOR CURT PRINGLE, who transcends racism, has been spectacular with all people and has provided equal access and protection to all people. This kind of problem will get out of hand if it is not controlled.

(8:27 – 8:30)

8-180

MEETING ADJOURNED AT 8:30 P.M.